

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
30-CA-103501Date Filed
APRIL 24, 2013

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer MillerCoors		b. Tel. No. 414-931-3109
		c. Cell No.
		f. Fax No. 414-931-6332
d. Address (Street, city, state, and ZIP code) 4000 W. State Street Milwaukee, WI 53201	e. Employer Representative Tony Wiedenheft	g. e-Mail Tony.Wiedenheft@millercoors
		h. Number of workers employed 700
i. Type of Establishment (factory, mine, wholesaler, etc.) Brewery	j. Identify principal product or service Fermented Malt Beverages	

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8 (a) 3 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

The above named employer interfered with, restrained and coerced employee (b) (6), (b) (7)(C) for exercising (b) (6) rights to engage in protected concerted activity when they terminated (b) (6) employment for discriminatory reasons on or about (b) (6), (b) (7)(C) 2012.

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2013 APR 24 AM 10:33
MILWAUKEE, WI
ROOM 30

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Brewery Workers Local 9, UAW

4a. Address (Street and number, city, state, and ZIP code) 9618 W. Greenfield Milwaukee, WI 53214	4b. Tel. No. 414-475-5898
	4c. Cell No.
	4d. Fax No. 414-475-6001
	4e. e-Mail (b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
International Union, United Automobile, Aerospace and Agricultural Implement Workers

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
(Signature or representative or person making charge) (Print/type name and title or office, if any)

Tel. No.
Office, if any, Cell No.
(b) (6), (b) (7)(C)
Fax No. 414-475-6001
e-Mail
(b) (6), (b) (7)(C)

Address 9618 W. Greenfield, Milwaukee, WI, 53214

4/22/13
(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 30
310 W WISCONSIN AVE
STE 700W
MILWAUKEE, WI 53203-2281

Agency Website: www.nlr.gov
Telephone: (414)297-3861
Fax: (414)297-3880

April 24, 2013

TONY WIEDENHEFT
MILLERCOORS
4000 W. STATE STREET
MILWAUKEE, WI 53201

Re: MillerCoors
Case 30-CA-103501

Dear Mr. Wiedenheft:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner ADRIANA A. KELLY whose telephone number is (414)297-4046. If this Board agent is not available, you may contact Supervisory Attorney ANITA C. O'NEIL whose telephone number is (414)297-3900.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent.

Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

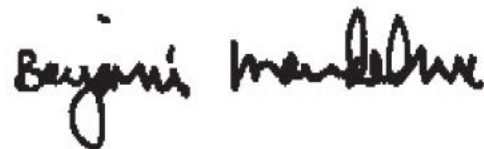
We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Benjamin Mandelman". The signature is fluid and cursive, with a large initial "B" and "M".

Benjamin Mandelman
Acting Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 30
310 W WISCONSIN AVE
STE 700W
MILWAUKEE, WI 53203-2281

Agency Website: www.nlrb.gov
Telephone: (414)297-3861
Fax: (414)297-3880

April 24, 2013

(b) (6), (b) (7)(C)

BREWERY WORKERS LOCAL 9, UAW
9618 W. GREENFIELD
MILWAUKEE, WI 53214

Re: MillerCoors
Case 30-CA-103501

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on April 24, 2013 has been docketed as case number 30-CA-103501. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge will be investigated by Field Examiner ADRIANA A. KELLY whose telephone number is (414)297-4046. If the Board agent is not available, you may contact Supervisory Attorney ANITA C. O'NEIL whose telephone number is (414)297-3900.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Benjamin Mandelman". The signature is written in a cursive, somewhat stylized script.

Benjamin Mandelman
Acting Regional Director

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Brewery Workers Local 9, UAW
Milwaukee WI

and

MillerCoors, LLC/Milwaukee Brewery

CASE 30-CA-103501



REGIONAL DIRECTOR



EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570



GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____

MillerCoors, LLC

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:



REPRESENTATIVE IS AN ATTORNEY



IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Ross A. Robinson and Shelly Watson

MAILING ADDRESS: 3939 W. Highland Blvd., PO Box 482, Milwaukee WI 53201-0482

E-MAIL ADDRESS: ross.robinson@millercoors.com; shelly.watson@millercoors.com

OFFICE TELEPHONE NUMBER: 414-931-2149; 312-496-2784

CELL PHONE NUMBER: 414-745-3868; 414-899-9023 FAX: 414-931-6318

SIGNATURE: 

(Please sign in ink.)

DATE: 5-8-13

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE

2013 MAY 13 AM 10:52
MILWAUKEE, WI
REGION 30

RECEIVED
NLRB



May 24, 2013

Adriana A. Kelly, Field Examiner
National Labor Relations Board
Region 30
310 W. Wisconsin Ave., Suite 700W
Milwaukee, WI 53201

Re: MillerCoors, LLC/Milwaukee Brewery
Case: 30-CA-103501

Dear Ms. Kelly:

This letter is the statement of position by the Respondent, MillerCoors, in the above-referenced case. The charge alleges that MillerCoors (the "Employer") violated Section 8(a)(3) by interfering with, restraining and coercing employee (b) (6), (b) (7)(C) from exercising (b) (6) rights to engage in protected concerted activity when it terminated (b) (6) employment for discriminatory reasons on or about (b) (6), (b) (7)(C) (b) (6) 2012. The Employer denies the allegations of the charge and requests that it be dismissed.

MillerCoors operates breweries in a number of locations throughout the United States, including Milwaukee, WI. The hourly employees at the Milwaukee brewery are represented for purposes of collective bargaining by several unions, including the United Auto Workers (Brewery Workers Local 9). The bargaining units represented by the UAW – Brewery Workers consists of three main work groups within the brewery: Brewing, where the beer is produced; Packaging, where cans and bottles are filled, sealed, and packed in various size cartons and cases; and Distribution, which includes temporary warehousing of beer and loading beer into trucks. The Brewery Workers represented employees operate equipment, drive lift trucks, and also perform "running repairs" i.e. maintenance tasks and adjustments which do not require the skill of a journeyman mechanic. There have been unions at the brewery for many years since 1945, and there have been a series of labor contracts over the years between the Employer and the Brewery Workers. The current labor contract became effective August 7, 2010 and expires August 3, 2013. It contains a typical grievance and arbitration procedure.

The Employer maintains plant rules and safety rules applicable to employee behavior and performance in the workplace. There have been plant rules and safety rules in effect since the opening of the brewery, and the same plant rules have been in place since 1968. These rules have not been negotiated. The Union has never contested the fact that the Employer has a right to maintain plant rules and a copy of the current Plant Rules is attached.

The plant rules read in part as follows:

An employee who fails to maintain at all times proper standards of conduct or who violates any of the following rules shall subject himself to the disciplinary action including dismissal.

1. Employees must be at their appointed work places, ready to work, at the regular starting time, and shall remain at such work places and at work until the regular quitting time.
7. An employee shall not neglect his job, duties and responsibilities, nor refuse to do work assigned to him.
10. An employee must be available and report for work as required or assigned to him.

As can be seen in the original corrective action (which is dated (b) (6), (b) (7)(C), 2012) (b) (6), (b) (7)(C) was in violation of the three above rules. Both Rule 1 and 10 are terminable offenses – violations of these rules can lead to termination depending on the facts of the situation. Violations of Rule 7 are treated in a progressive manner, but steps are skipped depending on the severity of the violation.

The facts in this case are basically not in dispute – except for stylistic issues such as whether (b) (6), (b) (7)(C) was “screaming” or “yelling.” During a pre-shift planning meeting (which is held daily) (b) (6), (b) (7)(C) took exception to the job (b) (6) was assigned, starting yelling and swearing, and left the room – slamming the door on the way out. Previous to (b) (6) exit (b) (6) was yelling at (b) (6), (b) (7)(C) that “(b) (6) had had it with this bullshit and that this is the last fucking time you’re going to stick it to me.” It is interesting to note that the team on third shift sets the protocol for how jobs will be assigned in the case of a call-off (person calls in an absence). The job (b) (6), (b) (7)(C) was being assigned was assigned to (b) (6), (b) (7)(C) following the protocol developed by the employees. When no qualified senior employee wanted the job it fell to (b) (6), (b) (7)(C) as the low senior qualified employee.

After exiting the room (b) (6), (b) (7)(C) changed into street clothes (allowed on the job (b) (6) was assigned) and contacted (b) (6), (b) (7)(C) for help with the filter plan (normal protocol) – (b) (6) said (b) (6) would be 5 minutes. (b) (6), (b) (7)(C) was also discussing how to handle the situation with (b) (6), (b) (7)(C), but before anything further could occur (b) (6), (b) (7)(C) left the building. (b) (6) later stated that (b) (6) tried to call (b) (6), (b) (7)(C) “but felt (b) (6), (b) (7)(C) had hung up on (b) (6), (b) (7)(C). (b) (6) stated that (b) (6) never received a call. (b) (6), (b) (7)(C) did not message (b) (6), (b) (7)(C), try (b) (6) landline, put a note on (b) (6) desk, call the dedicated number for absences or take any other action to notify management that (b) (6) was leaving. Instead (b) (6) contacted (b) (6), (b) (7)(C) alternate steward and advised (b) (6), (b) (7)(C) that (b) (6) wasn’t feeling good – “my blood pressure was up and I thought it was the best thing to go home so I didn’t get myself into worse trouble.” (b) (6), (b) (7)(C) also agreed that (b) (6) had “lost control” in the meeting.

It should be noted that in addition to the plant rules there are Company-wide rules, one of which pertains to workplace violence. The policy reads in part as follows:

- A. Violence and Threats Prohibited. MillerCoors prohibits violence and threats in the workplace or in relation to work activities or Company business. Some examples of conduct prohibited by this policy include: intimidation, harassment, direct threats or physical intimidation, implications or suggestions of violence, physical restraint or confinement, assault, battery, stalking, threatening to engage in such

activities, domestic violence that extends into the work environment, falsely accusing another of any of the foregoing, destruction or attempted destruction of Company or personal property. Prohibited behavior also includes communications, such as postings on web sites that involve conduct prohibited by this policy.

- B. Violations of this Policy. Employees are expected to follow this policy and to report any violations of this policy to management. Violation of this policy may lead to disciplinary action, including discharge for a first offense, termination of the services of a contractor or vendor, and removal of a person from MillerCoors property and/or denial of access to Company property, events or activities. The matter may also be referred to law enforcement authorities and could result in arrest and prosecution.

After the incident in the pre-shift meeting, and (b) (6), (b) (7)(C) leaving the building without any notification, a fact finding was then held on (b) (6), (b) (7)(C) 2012. In the meeting (b) (6), (b) (7)(C) admitted that (b) (6) was frustrated because of the work (b) (6) had been doing, that 2nd shift was leaving them in a bad spot, that (b) (6) did yell and slam the door and used words like "bullshit". (b) (6) also said that (b) (6) had lost control and could have handled it a lot better. On (b) (6), (b) (7)(C), 2012 based on all of the evidence, the level of anger and loss of control, and abandoning (b) (6) job on shift without notifying any management personnel, (b) (6), (b) (7)(C) was terminated.

This was not (b) (6), (b) (7)(C) first issue. (b) (6), (b) (7)(C) was originally hired on (b) (6), (b) (7)(C), and during (b) (6) time with the Company received the following corrective actions (all of which are attached):

- 1) (b) (6), (b) (7)(C) 2006 - verbal warning. Employee used abusive and profane words "fuck this place"; "I don't care if this place goes down"; "fuck management". Defense was that third shift was all frustrated since they do more work than 1st and 2nd shift combined. Note that a counseling was given before this verbal warning
- 2) An investigation was performed on several dates from March 11, 2011 to April 6, 2011. This investigation was performed in response to employees notifying us that (b) (6), (b) (7)(C) acted in an intimidating and hostile manner towards them. At this time although no formal corrective action was given, (b) (6), (b) (7)(C) was counseled on the fact that the work environment had changed and behavior acceptable even 5 years earlier was not acceptable now. Harassment and intimidation would not be tolerated – and the Employee Assistance Program was available to employees for anger management as well as other issues. (b) (6), (b) (7)(C) stated that (b) (6) felt (b) (6) was being discriminated against because (b) (6) is "big and speaks loud". (b) (6) also felt employees were out to get (b) (6), (b) (7)(C) because "I follow the rules and tell on people who don't – they are against me and now my name is smeared". Note in the write up that it references the fact that (b) (6), (b) (7)(C) had recently counseled (b) (6), (b) (7)(C) (again) on (b) (6), (b) (7)(C) language - not using the "f-word" constantly.
- 3) (b) (6), (b) (7)(C), 2012 – verbal warning (Rule 7). This situation involved opening of the wrong fill header to drain (I-6 instead of I-4). (b) (6), (b) (7)(C) admitted this was (b) (6), (b) (7)(C) mistake – and (b) (6), (b) (7)(C) was given a verbal warning. Loss of 160 barrels of product.
- 4) (b) (6), (b) (7)(C) 2012 – verbal warning (discrimination and harassment free work environment policy). In this situation (b) (6), (b) (7)(C) forwarded an e-mail with an inappropriate picture attached. Caption

was "big-ass balloon"). (b) (6), (b) (7)(C) was given a verbal warning and (b) (6) committed to sending no further attachments from (b) (6) work computer.

- 5) (b) (6), (b) (7)(C) 2012 – Written warning (Rule 7 – in conjunction with (b) (6), (b) (7)(C) issue). (b) (6), (b) (7)(C) mistakenly entered brand L6 instead of S6 allowing a cross-blend of 1750 Barrels. (b) (6), (b) (7)(C) admitted (b) (6) mistake. After much work the product could be saved, but shipment dates were missed.
- 6) (b) (6), (b) (7)(C) 2012 – Written warning (Rule 7 – in conjunction with (b) (6), (b) (7)(C) issue). Again a wrong valve was opened – resulting in loss of production of 1000 Barrels. (b) (6), (b) (7)(C) and another employee pointed fingers at each other – could never be determined who was primarily to blame. Both this incident and the (b) (6), (b) (7)(C) incident due to product involved could have led to a skipped step in the discipline procedure following past practice. As stated in (b) (6), (b) (7)(C) note of (b) (6), (b) (7)(C) this was a "gift".
- 7) (b) (6), (b) (7)(C) 2012 – Termination (Discrimination and Harassment Free Work Environment Policy, Plant Rule 1, Plant Rule 7, Plant Rule 10). This is the issue discussed above.

Following (b) (6), (b) (7)(C) termination a grievance was filed which stated "the union disagrees with the severity of the corrective action issued to (b) (6), (b) (7)(C). The union disputes the fact that (b) (6) "yelled and swore at (b) (6), (b) (7)(C)." We also disagree with the alleged time (b) (6) left and (b) (6) alleged failed attempt to notify anyone from management. The Union asks that (b) (6), (b) (7)(C) have (b) (6) employment reinstated." A second step grievance meeting was not scheduled (based on mutual agreement to speed the process) but a second step answer was provided on (b) (6), (b) (7)(C) 2012 respectfully denying the grievance due to two undisputed facts: 1) (b) (6), (b) (7)(C) acted inappropriately during a pre-shift meeting including the use of foul language, yelling, and slamming of a door; and 2) (b) (6) left (b) (6) job station, department and plant without properly informing any member of management, or using other appropriate communication tools at (b) (6) disposal, which constitutes job abandonment.

A 3rd step meeting was requested by the union, and a meeting was held (per agreement it was held even before the formal request was sent), resulting in a denial of the grievance again since (b) (6), (b) (7)(C) abandoned (b) (6) job. Please note that at no time was any issue raised regarding any "protected-concerted activity". (b) (6), (b) (7)(C) was not in any way assisting other employees – in fact the incident in question arose because (b) (6), (b) (7)(C) did not like the job he was assigned using a procedure the employees on third shift had put in place. The denial was provided by Management on (b) (6), (b) (7)(C) 2012 and the union did not move this case to arbitration. Under Article 26, Section 1, step 4, the union had 60 calendar days to move the dispute to arbitration. Also under Section 3 the date may be extended by mutual agreement. No extension was requested, and arbitration was not requested.

Per your request all of the e-mail communications between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) are attached. Please note that a number of these involve communications with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) believes in an "open-door" policy so (b) (6) does receive communications from employees, but in addition (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) had a mutual friend, which they had discussed, so there was also an additional personal relationship. You will also note that in many of the notes (b) (6), (b) (7)(C) was complaining

about holding people accountable – especially second shift. (b) (6) also had long-standing issues (as are shown in the notes) with second shift not being disciplined for parking in lot 4.

The claim that MillerCoors violated Section 8(a)(3) by interfering with, restraining and coercing employee (b) (6), (b) (7)(C) from exercising (b) (6) rights to engage in protected concerted activity when it terminated (b) (6) employment for discriminatory reasons on or about (b) (6), (b) (7)(C) 2012, is totally without merit. There is no evidence of 1) discriminatory reasons in the termination, 2) (b) (6), (b) (7)(C) engaging in protected concerted activity at the time (b) (6) was terminated, nor 3) any retaliation for any prior protected concerted activity (even if there had been any such activity).

In response to your specific requests:

- 1) (b) (6), (b) (7)(C) was very open in terms of sharing ideas and feedback as it relates to the brewing department with management, in particular (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) many times would go directly to (b) (6), (b) (7)(C) with any ideas, issues, or frustration that (b) (6) had. As (b) (6), (b) (7)(C) was on third shift therefore many of (b) (6) communications happened via email (attached).
- 2) On October 2, 2012 during a safety walk (b) (6), (b) (7)(C) at the Milwaukee Brewery discovered cords that hadn't been used for some time, but still had power running to them. The safety issue was addressed on October 20, 2012. (b) (6), (b) (7)(C) sent an email to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) on October 20, 2012 in regards to (b) (6) frustration as to why it took 18 days to resolve (b) (6) concern. (b) (6), (b) (7)(C) forwarded (b) (6), (b) (7)(C) email to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) on October 23, 2012 so (b) (6) was aware of the issue as well. As a result of (b) (6), (b) (7)(C) email to (b) (6), (b) (7)(C) sent an email to (b) (6), (b) (7)(C) who then went to discuss the incident with (b) (6), (b) (7)(C) who originally brought forward the safety gap (e-mails attached).
- 3) See above
- 4) Yes, MillerCoors utilizes progressive discipline per the collective bargaining agreement. Various "steps" are shown in the discussion above.
- 5) See attached (personnel file)
- 6) See attached (collective bargaining agreement)
- 7) See attached (commerce questionnaire)
- 8) MillerCoors, LLC (correct legal name)
- 9) The Milwaukee Brewery uses the email to communicate with employees such things as
 - Weekly emails from the Asset Care Manager regarding previous week's safety work orders which are completed.
 - Training and operations plans (weekly email note from Manufacturing Development and Unit Manager)

- Monthly Wall to Wall performance notes from Unit Manager
- Special Gap or 5 Why closures notes
- Safety Grams weekly
- Safety alerts if any serious safety issue or any recordable happens
- Communication updates from the Brewing Operations Manager weekly as to what is happening in their department

10) The company does not believe that deferral of this charge should occur due to the fact it has been **(b)** months since the 3rd step answer was given, and expiration of the unions right to request arbitration expired in late **(b) (6), (b) (7)(C)**

- a. The Employer does not feel waiver of timeliness defenses is appropriate
- b. The collective bargaining agreement expires on August 2, 2013
- c. Yes
- d. Probably
- e. Historically there have been very few arbitrations between the parties – the parties work hard to settle matters which sometimes leads to a delay in arbitrations occurring.
- f. There is not a “backlog” of cases awaiting arbitration
- g. Discharge would be given priority, but all grievances are handled expeditiously
- h. Settlements are reached in the majority of cases (settlement’s often involve matters not proceeding through the grievance procedure – allowed to “go away” based on time limitations)

Again for all of these reasons, the charge in the instant case is without merit and should be dismissed. Please contact me with any further questions or for more information. Finally, I wish to note that the submission of this position statement does not waive, and expressly preserves, all objections related to whether President Obama’s recess appointments to the NLRB are lawful, and therefore whether the Board has binding decision-making authority in the case.

Sincerely,



Ross A. Robinson
Corporate Labor Relations Manager
3939 W. Highland Blvd
Milwaukee, WI 53208

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) @millercoors.com>
Sent: Wednesday, (b) (6), (b) (7)(C), 2012 3:13 PM
Subject: RE: Safety Issue (Cords) FYI
Attachments: 10-24-12 (b) (6), (b) (7)(C).doc

Please see the attached Note to File. After reviewing the incident with (b) (6), (b) (7)(C) earlier today there seems to be some frustration with items brought up at L1.

From: (b) (6), (b) (7)(C)
Sent: Wednesday, (b) (6), (b) (7)(C) 2012 1:07 PM
To: (b) (6), (b) (7)(C)
Subject: FW: Safety Issue (Cords) FYI

Here is my coaching from (b) (6), (b) (7)(C) ...I'm not planning to reply. My ask is have we effectively closed the loop and is there a way to get better?

From: (b) (6), (b) (7)(C)
Sent: Wednesday, (b) (6), (b) (7)(C) 2012 12:01 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Safety Issue (Cords) FYI

(b) (6), (b) (7)(C)

My ask is to look at the incident objectively, what would 'good have looked like' and what prohibits us from getting there...no fault, just why didn't we, hourly and salaried, execute better on this. Try to involve (b) (6), (b) (7)(C) in the process if you can, in the diagnosis and the solution (b) (6), (b) (7)(C) as well). Try not to minimize (b) (6), (b) (7)(C) presume positive intent, it costs you nothing and your frustration level will abate a bit. Remember, we win and we learn....here is the photo that I received for your reference....

Cheers,

(b) (6), (b) (7)(C)

<< File: Cords.JPG >>

From: (b) (6), (b) (7)(C)
Sent: Wednesday, (b) (6), (b) (7)(C) 2012 5:56 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Safety Issue (Cords) FYI

(b) (6), (b) (7)(C)

I heard about this for the first time yesterday and we discussed it at L2....here is a brief overview

- (b) (6), (b) (7)(C) found this issue on one of (b) (6), (b) (7)(C) W2W's.....great!
- Apparently when the R1 Trains were converted to static (I'm guessing sometime in the 5-7 years ago range) the prox switch wires were simply left hanging

- I don't have the picture handy anymore [REDACTED] would share....these weren't bare wires th [REDACTED] have connectors at the end
- [REDACTED] shared an exchange of emails with [REDACTED] (b) (6), (b) (7)(C) over a period of time in which [REDACTED] (b) (6) had directed [REDACTED] (b) (6), (b) (7)(C) to put in a work order and make an estimate of the time that it would take. When [REDACTED] (b) (6), (b) (7)(C) did that [REDACTED] (b) (6) scheduled the work
- [REDACTED] (b) (6) is following up with [REDACTED] (b) (6), (b) (7)(C) as it would appear that [REDACTED] (b) (6) has a level of culpability on this issue. My guess it never hit the radar because [REDACTED] (b) (6) didn't put the work order in.

As I mentioned I'm still getting details as I wasn't aware until yesterday. It is also my opinion that [REDACTED] (b) (6), (b) (7)(C) is likely blowing this issue up more than necessary.....these wires have been there for several years and within a few days of the work order being created a gap was created and the issue resolved.

[REDACTED] (b) (6), (b) (7)(C)

From: [REDACTED] (b) (6), (b) (7)(C)
Sent: Tuesday, [REDACTED] (b) (6), (b) (7)(C) 2012 6:04 PM
To: [REDACTED] (b) (6), (b) (7)(C)
Subject: FW: Safety Issue (Cords) FYI

Can you fill me in on this? Obviously I don't understand any of the context around this....

[REDACTED] (b) (6), (b) (7)(C)

From: [REDACTED] (b) (6), (b) (7)(C)
Sent: Tuesday, October 23, 2012 4:34 PM
To: [REDACTED] (b) (6), (b) (7)(C)
Subject: RE: Safety Issue (Cords) FYI

[REDACTED] (b) (6), (b) (7)(C)

You're obviously hitting me a bit cold on this, first things first – has the problem been completely resolved? It sounds like it has? I don't have any awareness to this, I will ask [REDACTED] (b) (6), (b) (7)(C) about it. How was the issue surfaced? Was it on a GAP List? My initial thought is that it speaks to a lack of awareness to how things get done, both on the part of hourly employees and management-frustratingly we still don't translate things well from GAP Lists and Wall to Walls to actual activity. I wonder why [REDACTED] (b) (6), (b) (7)(C) didn't fix this [REDACTED] (b) (6), (b) (7)(C) why didn't [REDACTED] (b) (6) take control of the situation and say 'I'm going to fix this today, I don't need to be told, this is unacceptable.'if it is an immediate concern, why wasn't it addressed right away.....let me check on it...thanks for sharing....

Cheers,

[REDACTED] (b) (6), (b) (7)(C)

From: [REDACTED] (b) (6), (b) (7)(C)
Sent: Tuesday, October 23, 2012 6:49 AM
To: [REDACTED] (b) (6), (b) (7)(C)
Subject: FW: Safety Issue (Cords) FYI

[REDACTED] (b) (6), (b) (7)(C) I thought that this was a very serious issue that's why I'm forwarding it to you. This should have been addressed as soon as it was found not 18 days later. This was a catastrophe waiting to happen.

Very respectfully,

[REDACTED] (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Sent: Tuesday, October 23, 2012 6:29 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: Safety Issue (Cords) FYI

(b) (6), (b) (7)

I brought up a safety issue at last nights L1 meeting and (b) (6), (b) (7) suggested I send you an email about it. I wrote up a wall to wall on 10/2/12 about several prox. cords on I-1 for tanks 1-5 that weren't being used anymore but were still hot (had power on them) and were just hanging there. It took until (b) (6), (b) (7)/12 to get the ok to turn off the power and remove these cords since we weren't sure what other valves would go into fault when losing power. The problem is fixed now and everything is fine, but somebody could have gotten hurt had this cord (which was still hot) touched a pipe or if somebody had bumped it with their hand or something else. Per 70E rules we cannot work on anything hot over 50 volts, therefore we have to remove power in order to correct problems like this. This should have been addressed right away instead of waiting because nobody wanted to make the call to shut down power and possibly shut down production. I attached a picture so you could see the shorted cord also I have the cord end itself if you want it.

<< File: Cords.JPG >>

Thanks,

(b) (6), (b) (7)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) @millercoors.com>
Sent: Friday, October 26, 2012 5:50 PM
Subject: FW: Discuss I1 Proximity Chords

A quick explanation of what occurred.

From our discussions this morning it became evident that the situation was never flagged as a safety concern. In fact it wasn't discovered that there was a possible safety issue until the proximity chords were being removed. The situation was brought up at a Level 1 meeting "after" the work had been completed and at which time it was revealed there could have been a safety incident. (b) (6), (b) (7)(C) had reset a breaker on this system this past March and notified a team lead, but stated (b) (6), (b) (7)(C) didn't believe there was a safety concern when this occurred. No additional follow up was taken until (b) (6), (b) (7)(C) completed (b) (6), (b) (7)(C) October W2W and a WO was eventually generated, but again not as a safety issue. This issue was discussed with engineering and it was determined that the proximity chords had been out of service since ~2005/2006.

The conversation we had this morning was productive and I think we all came out of the meeting with the understanding that safety concerns need to be followed up on immediately, by all parties. It was agreed that there needs to be L1 ownership if something like this presents itself in the future, communication is key and the "appropriate" parties need to be notified as soon as possible.

The above is a brief summary, so please let me know if additional information/follow up is needed.

Thanks,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, October 26, 2012 4:53 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Discuss I1 Proximity Chords

Gentlemen,

I believe the conversation we had this morning was good for us all and provided some insight on what occurred and what should be done in the future. Below is a list of items that were discussed and will help prevent such issues going forward.

- Generate L1 awareness and involvement when safety issues arise
- Follow up w/Engineering on project completion and leaving things behind
- W2W's provide a template to work from, but follow up is required of the craft/operator to resolve immediately or by generating a WO/gap if immediate repair is not achievable
- "Stop the Job" if required and if this is not possible make the necessary awareness and precautions to prevent a possible safety incident
- Proper escalation and when to escalate

Thank you again for the time this morning. Please feel free to reach out if there is anything else that may have been missed.

(b) (6)

-----Original Appointment-----

From: (b) (6), (b) (7)(C)

Sent: Wednesday, (b) (6), (b) (7)(C), 2012 3:31 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: Discuss I1 Proximity Chords

When: Friday, October 26, 2012 6:00 AM-6:30 AM (UTC-06:00) Central Time (US & Canada).

Where: Hotside Team Room

This is a meeting to discuss the events that transpired around the I1 proximity chords. What would 'good have looked like' and what prohibits us from getting there.

(b) (6), (b) (7)(C), you won't need to attend but please make arrangements for (b) (6), (b) (7)(C) to be available.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Monday, June 25, 2012 4:25 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Job Rotations

(b) (6), (b) (7)(C), Once again we've been mandated to change our job rotations on third shift even though it has been working extremely well for the 7 years I've been working here at Miller/Coors. Instead of switching every 2 days we'll now have to be on a job for a week at a time. The way it is now everyone stays current and trained on all of the operational jobs on **third shift** because we change every two days instead of weekly. I feel this is a great benefit to the company.

We only have 2 people who are not trained on all of the jobs on 3rd shift and 1 of them only needs panel training and (b) (6), (b) (7)(C) be up to date and trained on all the jobs and the other person has just started training. We feel that having everyone trained makes life a lot easier when we have some one call in or vacations because we're all interchangeable and can do all of the jobs.

By picking a job for a week like other shifts or departments do some people may only pick certain jobs so there may not be a rotation like we have now. Once you don't do certain jobs for an extended period of time you tend to forget a lot of things which can only lead to mistakes and maybe some one getting seriously injured or even killed. Hopefully you'll reconsider this change you want us to make and let us continue to try and become autonomous like we're supposed to doing.

Very Respectfully,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 22, 2011 11:52 PM
To: (b) (6), (b) (7)(C)
Subject: WCB

(b) (6), (b) (7)(C)

We're now three weeks into WCB and the only changes that I have seen so far is that we do pass downs not much else. As a matter of fact there was one individual that didn't attend any of pass down meetings for the last 2 weeks so why are we having these if everyone is not going to be involved ? Another observation is that the pass down sheets have what each shift is supposed to be doing for sanitation but none of it seems to be getting done. If you go to I-11 there's a fan room on the west side that has **NUMEROUS cigarette butts** in it plus hoses are still left uncapped and fittings are still being left on the floor.

The parking situation hasn't changed either, same people from second shift are still parking in lot 4 and of course (b) (6), (b) (7)(C) from second is one of the biggest offenders. I thought that there was going to be some changes but it looks like everything is back to where it was before we embarked on this WCB adventure.

Hopefully there will be meaningful changes with everyone on board.

Very Respectfully,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, May 03, 2012 11:17 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: 5Y 3639

(b) (6), (b) (7)(C) this is typically what happens and the end product is 3rd shift gets stuck doing the majority of all enzymer and us filter cip's which is totally unacceptable. I've said some thing about this for years but nothing has changed. Last week 3rd shift cleaned enz 1, finished up enz 2, cleaned enz 3 and started the filtrox and this week we've already cleaned us 6 and will be cleaning enz 3 tonight. How is that fair to us ? If they spread this around they wouldn't need any more training on the other shifts because they'd have enough OJT to be proficient in cleaning the enzingers and Us filters.

Very Respectfully,

(b) (6), (b) (7)(C)

-----Original Message-----

From: (b) (6), (b) (7)(C)
Sent: Thursday, May 03, 2012 10:22 AM
To: DL MBC MW Plant - Brewing Mgrs; DL MBC MW Plant - Finishing BW
Subject: 5Y 3639

Please review 5Y 3639 that resulted from an extended CIP on US3. There were some legitimate priority conflicts that will be handled differently in the future and the CIP tracking logs have been updated and will be reviewed upon each CIP completion. With fassing being the constraining operation of the brewery it is critical that changeover and CIP times are met.

Thanks,

(b) (6), (b) (7)(C)

Here is the Failure Analysis Notification. If you have any issues please contact me ASAP.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, February 04, 2011 3:13 AM
To: (b) (6), (b) (7)(C)
Subject: Meeting

(b) (6), (b) (7)(C)

Sorry I couldn't meet with you yesterday morning but I was feeling terrible. We were supposed to meet on Monday morning but I won't be working on Sunday so is Tuesday morning good for you ?

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, April 11, 2012 5:26 AM
To: (b) (6), (b) (7)(C)
Subject: RE: GMP today

(b) (6), (b) (7)(C) you're correct when you say "A few individuals have chosen to not follow procedures" and instead of just holding those individuals accountable we'll probably get another blanket policy punishing the innocents who do there very best. I have been sending e-mails out about the cleanliness of I house since 2007 and it has fallen on deaf ears.

What I don't understand is why a team leader can't make an occasional trip through I house to see what needs to be cleaned or fixed. Once people see the team leaders going through I house and the rest of the spaces they might actually do there jobs a little better and keep the places cleaner than what they've been doing because they never know when the boss will be coming around..

I'm not going to tell you that I'm the best thing since sliced bread but believe me when I tell you that I'm constantly picking things up and putting them away, hosing floors down when they're sticky and trying my best to make I house presentable. It's a tough job cleaning up after 30 plus people and I truly don't believe that it's my sole responsibility to keep the place clean. We have a sano matrix on the hand off sheets so there's no excuse why people are not doing there assigned areas except for the fact that there are never any consequences for not doing it.

The sheets we keep for the flash, forklift inspections, packing releases, or doing CIP'S on the US filters are never filled out correctly and once again nothing ever happens to those who don't comply. People make up PVPP and Chillgarde and are supposed to enter the data in D-3 in and a lot of the times they don't do that either but no one holds them accountable either.

I don't know what the answer is (b) (6), (b) (7)(C) but I'm just as frustrated as you are and have been for a long time. We work in a food processing plant and cleanliness should be a top priority along with other metrics not some thing we do just for GMP inspections.

Very Respectfully,
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, April 10, 2012 4:46 PM
To: DL MBC MW Plant - BREW_BW; DL MBC MW Plant - Coldside Craft; DL MBC MW Plant - FERM_BW; DL MBC MW Plant - Finishing BW; DL MBC MW Plant - Hotside Craft; (b) (6), (b) (7)(C);
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: FW: GMP today

Folks, this is a very, very poor start to our annual GMP inspection by corporate. These issues are not taken lightly especially with Milwaukee's desire to run Coors Light, a draft product, here this coming fall. There has been an incredible amount of communications about GMP practices in the past few months and a lot of attention put forward to this week's inspection. A few individuals have chosen to not follow procedures and the outcome from this may be devastating.

We still have cold service to inspect Wednesday and every one of us needs to be completely on our game to pull this out. If one of your team mates is not picking up after them selves, call them out. These practices cannot be allowed to continue. New food safety rules and microbiological standards have been set and we must meet them. We do not have a choice. You and I do not make the rules. MillerCoors makes the rules and they pay us to follow every one of them.

GMP is not just for someone else.... It is a way of life for every one of us in the department.

SAVE THE BEER!

(b) (6), (b) (7)(C)

4000 W. State St. • Milwaukee, WI • 53201

(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-6332

From: (b) (6), (b) (7)(C)

Sent: Tuesday, April 10, 2012 5:32 AM

To: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: RE: GMP today

(b) (6), (b) (7)(C) – Thanks for the info

All – This is certainly an unfortunate way to start the audit but we have today and tomorrow to ensure we have a good showing.....so make this a priority

From: (b) (6), (b) (7)(C)

Sent: Monday, April 09, 2012 3:59 PM

To: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: GMP today

I'm not sure how (b) (6), (b) (7) will score things but there were so many uncapped hoses on the floors that (b) (6) probably will consider it a "Major" deviation. (b) (6) will be inspecting finishing on Wednesday morning. Please check I-House, the annex, etc. and make sure there are no more uncapped hoses. (b) (6) also cited us for misuse of hops buckets in the 1st floor maintenance shop in bldg 17 and also for food in the E-House landings garbage cans. These are deviations we should have easily avoided with the recent emphasis on GMP and Safe Passage. Newspapers, etc, were found in the J/M House elevator desk. Not a good start to the 2012 GMP.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Monday, January 31, 2011 10:33 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Safety Gram for 1/28/2011

(b) (6), (b) (7)(C)

People from 2nd shift parked in lot 4 today, Obviously the message isn't be heard.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Saturday, January 29, 2011 10:16 AM
To: DL MBC MW Plant - BREW_BW; DL MBC MW Plant - Coldside Craft; DL MBC MW Plant - FERM BW; DL MBC MW Plant - Finishing BW; DL MBC MW Plant - Hotside Craft; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Safety Gram for 1/28/2011

Brewing employees, unauthorized parking continues to be problematic in lot 4, utilities courtyard, east dock and the driveway under building 45. Security provided the email notice below and I want to reiterate its message. Parking and/or moving vehicles into areas where you do not have permission are prohibited. Vehicles not in assigned spaces create safety and emergency response concerns. Our campus is very complex and vehicle allotments are planned as such to ensure traffic and response personnel have clear access to any area needed.

Policing of these areas will be stepped up and warning issued. Repeated violators of the parking restrictions will be addressed with Unit Manager and HR involvement. Please park in approved locations.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
4000 W. State St. • Milwaukee, WI • 53201
(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-3829

From: RES MBC MW Safety Mailbox
Sent: Thursday, January 27, 2011 2:20 PM
To: DL MBC MW Plant - Exchange Users
Subject: Safety Gram for 1/28/2011

The purpose of this communication is to make employees aware of the medical permit parking policies.

Employees or visitors who drive vehicles with a current state-issued (any state) disabled license plate or state-issued disabled window card/placard, may park in any of the disabled parking areas on campus.

Employees and contingent workers are permitted to park in a temporary medical permit parking space on campus provided they have a current Temporary Medical Parking Permit that has been authorized and issued by Health Services displayed on their vehicle dashboard.

Security will continue to monitor parking across the campus to ensure compliance and will issue reminders to employees for unauthorized parking. Repeat violations will be reported to the employee's department for follow-up and possible corrective action as appropriate.

If you need to apply for or extend a medical parking permit please contact (b) (6), (b) (7)(C) in Health Services at

(b) (6), (b) (7)(C)

Unauthorized parking in Disabled and Medical parking spaces compromises the safety of employees who are authorized to park in these spaces.

Thanks,
Health & Safety

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 25, 2011 11:10 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Building 17 Break Room

(b) (6), (b) (7)(C) I think that you hit on a couple of things that are troubling to most of here in finishing especially the "Holding people accountable for what they do or don't do". The break room is a start but hopefully it'll continue on to all areas of finishing. There shouldn't be two standards like many of us feel there is. If you don't want to do your job please leave the department and find some where else to goof off, we have enough work to do with out doing our job plus some one else's because they didn't feel like working or think that they're sticking it to the company. Hopefully there'll be changes that are meaningful and long lasting.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 25, 2011 1:46 PM
To: (b) (6), (b) (7)(C)
Subject: FW: Building 17 Break Room

From: Curcurio, James
Sent: Thursday, August 25, 2011 12:54 PM
To: Lang, Mark
Subject: FW: Building 17 Break Room

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 25, 2011 12:53 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Building 17 Break Room

Well it's about time something is being done about this @&\$% debacle around here!!! I only hope that this is just the beginning because, and I'm sure you know, there are a lot bigger problems in this department than just the lounge. Holding EVERYONE accountable for what they do, or don't do, would be a real good step in the right direction. I can say that is probably the number one concern around here. Certain people here think this is nothing more than a big picnic. Well I hope you can finally instill in them that it is anything but that, and if they don't like or think they are being picked on then feel free to leave, believe me they won't be missed. A lot of us who do our jobs have had enough of doing theirs too. Good job and keep doing what your doing, looking forward to see how this all plays out!!!

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, August 24, 2011 7:45 AM
To: DL MBC MW Plant - BREW_BW; DL MBC MW Plant - Coldside Craft; DL MBC MW Plant - FFERM_BW; DL MBC MW Plant - Finishing BW; DL MBC MW Plant - Hotside Craft; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: Building 17 Break Room

I passed through the building 17 basement break room and was disappointed by the condition and usage of the room. It would appear that some have more time than others to be in the room. Break rooms are intended to be a place for a pause from the work day, a spot for a meal and a casual conversation. The presence of DVD's, VHS tapes, paper backs and completely obscured windows leaves me to believe that more than breaks are occurring in the room. The room is also in need of some updating and refurbishment.

The Brewing Department runs on a great deal of trust. Our department encompasses over 16 acres of working space and it is up to all of us individually to assure all the work gets done in a timely manner. Work needs are set out in schedules and in verbal communications each shift. It is an expectation that all the work outlined each shift is completed. If circumstances prevent a task from being completed, the current state and rationale behind the delay need to be known so improvements in things such as timing, procedures or training needs can be adapted. That's what makes our department so good. By knowing the work and getting the job done, we work together to enable the next shift to be successful.

Please remove all items from the building 17 basement break room by the end of the week. The room will be closed and scheduled for painting and refurbishment.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

4000 W. State St. • Milwaukee, WI • 53201

(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-6332

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, August 27, 2010 6:04 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Parking Again

(b) (6), (b) (7)(C)

The people wait until later in the shift and move their cars into the lot and it's usually back in the corner behind K house instead of behind the powder room. I'm sure that I'm being called plenty of names by second shift because I'm always sending you e-mails about this parking issue, if they followed the rules and only parked there on the weekends I wouldn't be writing you right now.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 26, 2010 8:34 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Parking Again

Thanks (b) (6), (b) (7)(C) for the update on lot 4 activities. As you say, it is important for all of us to follow the restrictions otherwise we risk losing all privileges. We have sent security over there to check on second shift and obviously we missing something. I'll ask if security is checking at the end of second because that must be what's happening. People must be moving their cars in later in the shift.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
4000 W. State St. • Milwaukee, WI • 53201
(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-3829

From: (b) (6), (b) (7)(C)
Sent: Wednesday, August 25, 2010 10:45 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Parking Again

(b) (6), (b) (7)(C)

Obviously I must work on the wrong shift, because if I worked second I could park my car in lot 4 on a daily basis and nothing would happen to me. I've been saying some thing about this parking issue for a long, long and nothing has changed except the day and date. Should I just accept the fact that second shift has more privileges than third and leave it at that ?

The majority off us in finishing follow the rules but there are some that think they are above the rules. Hopefully you'll address this issue and rectify it once and for all. Maybe if the people had their cars towed they wouldn't be so quick to park in lot 4 on a daily basis ?

If you'd like to sit down and discuss this I would be happy to meet with you any time after work.

Very Respectfully,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, July 22, 2011 11:10 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Special Visitors Next Week

(b) (6), (b) (7)(C) it sure would be nice to see some of these people visit during 3rd shift so they can get a different perspective than what 1st shift and second shift have to say. All of the tours are usually held during 1st shift and maybe into second so we never get to express what we have to offer here on 3rd.

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, July 22, 2011 1:10 PM
To: DL MBC MW Plant - BREW_BW; DL MBC MW Plant - Coldside Craft; DL MBC MW Plant - FERM_BW; DL MBC MW Plant - Finishing BW; DL MBC MW Plant - Hotside Craft; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Subject: Special Visitors Next Week

This coming Monday and Tuesday, July 25 & 26, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) will be visiting the Milwaukee Brewery. (b) (6), (b) (7)(C) is our (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C). Their visit begins at noon on Monday and ends at noon on Tuesday. Included in the visit is of course, a tour of the Brewing Department. Asides from just taking a look around, (b) (6), (b) (7)(C) is very interested in hearing from employees about what makes each department tick. Things like number of people in the areas, beers we make, success's the past year and things we continue to work on now.

We have a great story to tell them and I know we are very proud of our accomplishments. I expect the tour to be in the brewing areas sometime between 2 and 4 pm Monday. We have about one hour with (b) (6), (b) (7)(C) for this visit (there will be more in the future) so, the current tour route is brew house 2M + control room, D-cellar propagation + control room and filters area + control room. We will end in the brewing office conference room. Given our request for funding on the new 3-brew propagation fermenters and new filtration building, (b) (6), (b) (7)(C) will be very keen on seeing and hearing about our processes in those areas. Please stick around the areas and say hello when we come by. (b) (6), (b) (7)(C) is very outgoing and will want to converse with you.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
4000 W. State St. • Milwaukee, WI • 53201
(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-6332

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Saturday, January 29, 2011 10:58 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Hi

Thanks (b) (6), (b) (7)(C) for your concerns and willingness to communicate. There is no doubt improvements can be made in our work environment. Discussions from yourself or others on third shift are a good thing to do. And rest assured your name is good with me. We have change coming in the brewing department. It may seem slow but, I am committed to getting there. I'll find you this week and maybe we could set up a time to talk more.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
4000 W. State St. • Milwaukee, WI • 53201
(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-3829

From: (b) (6), (b) (7)(C)
Sent: Saturday, January 29, 2011 7:07 AM
To: (b) (6), (b) (7)(C)
Subject: Re: Hi

(b) (6), (b) (7)(C)

I am out of the brewery on business, really for the next two weeks, so unfortunately we're not going to be able to meet.

As much as we enjoy our jobs and appreciate them, have passions around them and always bust or butts-we all get frustrated from time to time with the way things are or aren't going-ask (b) (6), (b) (7)(C) if I ever get frustrated...it can be a daily event at times. That said, we always have to be mindful how those frustrations come out and the impact that they have on all of the people around us when they do. As you and I discussed, the issues were '3rd shift' so I guess that would apply to all in Finishing on shift, some more so than others and we've identified them previously. No need, from my perspective, to clear your good name (b) (6), (b) (7)(C) may feel different-so I'll defer to you two on that). Getting mean look from stewardess-must go now-plane leaving.

From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C)
Sent: Fri Jan 28 00:49:59 2011
Subject: RE: Hi

(b) (6), (b) (7)(C)

I'm glad that things turned out well with the meeting. I did hear a few tidbits from (b) (6), (b) (7)(C) and I'm quite a bit dismayed that my name was mentioned as being a problem here on third shift. Supposedly "I intimidate people and I'm also too loud" is that what was said? I don't like getting information second hand so maybe it would better if we had a meeting so I can hear firsthand what was said about me.

What I can tell you is that I'm passionate about my job and I don't like slacker's period. I follow the rules and I expect everybody else to do the same whether it's parking where you're supposed to or doing the job to the best of your abilities and not leaving stuff for some one else to do because you don't feel like doing it.

I could go on and on but I rather to you face to face so we can clear the air. That way I'll know exactly where I stand and you'll know where I'm coming from. So at your earliest convenience let's get together and have a talk.

Very Respectfully,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, January 27, 2011 5:39 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Hi

(b) (6), (b) (7)(C)

Not a problem, in hindsight I wouldn't have said something to you if I didn't think it would provoke a reaction from them. One of the best, most refreshing, honest conversations that I've had with two employees since I've come to the brewery, I think that they feel better and more understood and I know that I do. So if you were a catalyst for this, not a big deal, it drove some conversation that needed to happen and I needed to hear it with (b) (6), (b) (7)(C). We all need to be trying to get better and make this brewery as good as it can be.....this was about calibrating where the opportunities are and it was affirming that changes already made in brewing were the right ones, but more work to do on both sides of the table.

Cheers,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Thursday, January 27, 2011 1:06 AM
To: (b) (6), (b) (7)(C)
Subject: Hi

(b) (6), (b) (7)(C)

I heard that you're supposed to have a meeting today with the two individuals we talked about. I never intended for this to happen. I did talk to one of them in the hopes that they would see the error of their ways and make changes, not run to the boss and then you. Hopefully you don't feel that I put you out on a limb because that wasn't my intention at all.

Very Respectfully,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, January 26, 2011 3:03 PM
To: (b) (6), (b) (7)(C)
Subject: FW:

FYI

(b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) help me. How do I show care and love when it's not my sand box? I have a feeling (b) (6), (b) (7)(C) stirred things up over there last night. I hear (b) (6), (b) (7)(C) talked to (b) (6), (b) (7)(C) (second shift does nothing, the TL's are useless, etc....). (b) (6), (b) (7)(C) mentioned (b) (6), (b) (7)(C) want to have a summit with (b) (6), (b) (7)(C), me and (b) (6), (b) (7)(C). Regardless of whether (b) (6), (b) (7)(C) is in the right sand box anymore, I gotta let this happen now. I'm thinking Thursday early morning but, waiting on confirmation from (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
4000 W. State St. • Milwaukee, WI • 53201
(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-3829

From: (b) (6), (b) (7)(C)
Sent: Wednesday, January 26, 2011 12:58 AM
To: (b) (6), (b) (7)(C)
Subject:

HI (b) (6), (b) (7)(C) I HAVE BEEN HEARING NASTY RUMORS ABOUT MYSELF IF THERE IS A PROBLEM COULD YOU PLEASE LET ME KNOW ANY TIME DAY OR NIGHT. I KNOW YOU ARE A BUSY (b) (6), (b) (7)(C) BUT IF YOU HAVE 15 MINUTES I WOULD LIKE TO TALK TO YOU. ALSO ABOUT MY ACCIDENT. THANK YOU (b) (6), (b) (7)(C) MY CELL PHONE IS (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, August 03, 2010 8:02 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Parking and Other Issues

Good info (b) (6), (b) (7)(C) I'll speak with Security and we'll send a different message.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
4000 W. State St. • Milwaukee, WI • 53201
(b) (6), (b) (7)(C)@millercoors.com • (b) (6), (b) (7)(C) • cell (b) (6), (b) (7)(C) • fax (414) 931-3829

From: (b) (6), (b) (7)(C)
Sent: Tuesday, August 03, 2010 3:25 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Parking and Other Issues

(b) (6), (b) (7)(C)

I was wondering how it's still possible that we have people parking in lot 4 after all of the e-mails we've had about parking and the rules that go along with the parking. Obviously some people feel that the rules do not apply to them and will continue to park in the lot and eventually ruin the privilege for all of us and all I'm trying to do is stop that before it happens. I believe that some from 2nd shift was cleaning their rims too which is incredulous to me.

Hopefully you can have security take care of this and have a few cars towed then maybe people will get the message they're not supposed to be parking in lot 4 except on Weekends' and Holidays. Any help with this would be greatly appreciated (b) (6), (b) (7)(C)

Very Respectfully,
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, March 25, 2011 6:51 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: WPV investigation (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

I just realized that I forgot to forward this you earlier this week. After (b) (6), (b) (7)(C) returned from vacation I met with (b) (6), (b) (7)(C) to discuss the scenario. In summary (b) (6), (b) (7)(C) recount of the situation coincides with (b) (6), (b) (7)(C) explanation.

Let's discuss this some more live

(b) (6), (b) (7)(C)



3-11-11

(b) (6), (b) (7)(C) doc

(b) (6), (b) (7)(C)

MillerCoors, Milwaukee

Office: (b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)

Email: (b) (6), (b) (7)(C)@MillerCoors.com

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, (b) (6), (b) (7)(C), 2013 12:03 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Turnstile On 41st

From: (b) (6), (b) (7)(C)
Sent: Saturday, August 18, 2012 12:24 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Turnstile On 41st

(b) (6), (b) (7)(C)

Got it, I missed the security component to it, that is why email sometimes doesn't work....my understanding is that it is now fixed....let me know if it is not....thanks for bringing it up....

Cheers,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, August 17, 2012 10:36 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Turnstile On 41st

(b) (6), (b) (7)(C) reaching through the fence to activate the button only shows people that there are ways around the security we have in place. I can continue to do this with out any problems but I'm just worried about the person who doesn't work here who sees what we're doing and then decides (b) (6), (b) (7)(C) can also access the lot and other areas of Miller property. If this is Ok with you we'll continue.

Very Respectfully,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, August 17, 2012 8:53 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Turnstile On 41st

(b) (6), (b) (7)(C)

So it isn't a matter of getting into the lot, it is simply a matter of having to reach through a fence and push a non-normal button????? I always take your requests seriously and know that you only have the best intentions in mind to make the brewery a better place. That said, I have to be honest (b) (6), (b) (7)(C) with all the issues we have at the moment, especially in Brewing, I can understand why this might not have been a priority for the likes of (b) (6), (b) (7)(C). It sounds like an 'inconvenience' more than anything and right now if it doesn't improve/effect Safety, Improve Brewing Waste or Reduce Brewing Water consumption it will probably take longer than what you might think to get it addressed.

In reality, as you know, this should have been addressed by Security right off the bat, you shouldn't even have to bring it up to (b) (6), (b) (7)(C) -I'll get with Security and it will be fixed in an appropriate period of time. In the future, I don't know what your process is, it sounds like you go to the folks who should be accountable and when it doesn't happen at an appropriate pace or fashion you simply go onto the next person. I'd encourage you to work with the right individuals until they get it done.....easier said than done, I know. Presuming positive intent, for all we know Security is on it and perhaps they are waiting on a part or something.

Cheers,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Sent: Friday, August 17, 2012 4:37 AM

To: (b) (6), (b) (7)(C)

Subject: Turnstile On 41st

(b) (6), (b) (7)(C) I've been trying to get the turnstile on 41st going into the distribution parking lot fixed for more than 2 months and it still isn't working. I told security more than once, I told (b) (6), (b) (7)(C) and I even told (b) (6), (b) (7)(C) about it and yet the problem still exists. Is there anyway that this can be fixed so we don't have to reach in and push the button from the distribution side of the lot ? Any help with this would be greatly appreciated by me and many others.

Very Respectfully,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, May 15, 2013 12:03 AM
To: (b) (6), (b) (7)(C)
Cc:
Subject: FW: bldg 43 A/C

From: (b) (6), (b) (7)(C)
Sent: Monday, June 04, 2012 8:33 AM
To: (b) (6), (b) (7)(C)
Subject: RE: bldg 43 A/C

(b) (6), (b) (7)(C)

Always feel like you can approach me if something isn't getting answered, you generally have good points and we're a better brewery for being aware of them and working them. I get 'our leaders are on it' a lot and obviously if they are they aren't communicating with you, the employees, that they are. So I don't mind you reaching out to me, after you've given them a fair chance to remedy the situation.

Thanks,
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Sunday, June 03, 2012 10:24 PM
To: (b) (6), (b) (7)(C)
Subject: RE: bldg 43 A/C

(b) (6), (b) (7)(C) I know I shouldn't jump the chain of command but like you said "there is little feedback" so we have no idea of things are being fixed or not. From now on I'll use the chain of command but If I don't get any answers my only recourse it to send you something.

By the way it still hasn't been fixed and it's awful hot up here in the locker and lunch rooms. I have some protein bars in my locker and they've melted.

Thanks
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Sunday, June 03, 2012 11:21 AM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: bldg 43 A/C

Talked to (b) (6), (b) (7)(C) about it, (b) (6), (b) (7)(C) working with (b) (6), (b) (7)(C) local leadership and the Utility guys to get it addressed. Just curious, when you don't get an answer from the Team Leaders, do you let (b) (6), (b) (7)(C) know? My guess (b) (6), (b) (7)(C) because you do carry clout with the leadership, and (b) (6), (b) (7)(C) is that they are working on these things, but our ability to provide feedback is not

the best or existent at all-so someone is working it, but it isn't obvious to you or anyone else.....perhaps going to [REDACTED] would help [REDACTED] coach them better, closer in....you've got good ideas, I'm happy to facilitate them, but the system shouldn't work this way.....

[REDACTED]

From: [REDACTED]

Sent: Friday, June 01, 2012 3:54 AM

To: [REDACTED]

Subject: bldg 43 A/C

[REDACTED] any way we can get the air conditioning fixed here in bldg. 43. It has only worked sporadically since they turned it on. Obviously it's cool now but the heat will be here shortly and it gets Hot up here in the lunch room. I brought this up with the team leader and nothing has been fixed yet. Any help with this would be greatly appreciated.

[REDACTED]

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, May 15, 2013 12:04 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Bereavement

From: Moschea, Andrew
Sent: Sunday, June 03, 2012 11:24 AM
To: (b) (6), (b) (7)(C)
Subject: RE: Bereavement

(b) (6), (b) (7)(C)
Working with HR on this, anything we can do to take waste out of the system and simplify we will do, (b) (6), (b) (7)(C) will work with (b) (6), (b) (7)(C) on your particular situation and see what we can learn from it.....I would expect that you'll get some outreach from them on it.....
Cheers,
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Saturday, June 02, 2012 3:04 AM
To: (b) (6), (b) (7)(C)
Subject: Bereavement

(b) (6), (b) (7)(C) just a few quick thoughts about the whole process for Bereavement. I had no idea of what to do when (b) (6), (b) (7)(C) died as you should know since I had to call you. I asked a few people here in finishing and no one really knew what to do to go out on it and what to do when I got back. My pay was messed up this week and last week because I never filled out the necessary paperwork that I never knew I had to fill out.

Hopefully there can be some kind of message put out letting people know what to do when some one dies or is there some thing available already that spells out what To do ? People already have plenty on their plates when some one passes and having to sort out problems with pay when you get back doesn't make it any easier either.

Any help with this would be greatly appreciated.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, May 15, 2013 12:04 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: All Plant Meeting

-----Original Message-----

From: (b) (6), (b) (7)(C)
Sent: Thursday, April 26, 2012 1:43 AM
To: (b) (6), (b) (7)(C)
Subject: Re: All Plant Meeting

Thanks (b) (6), (b) (7)(C) did awesome considering (b) (6) had to adlib-I'll share your comments with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) as well.

Sent from my Motorola phone.

(b) (6), (b) (7)(C)" <(b) (6), (b) (7)(C)millercoors.com> wrote:

(b) (6), (b) (7)(C) just a quick note to let you know that the meeting was better than usual and kept a lot of people engaged instead of asleep. The marketing guys is fantastic, we should have people like that working for us !!!!

Cheers

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, May 15, 2013 12:04 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Happy Birthday

From: (b) (6), (b) (7)(C)
Sent: Wednesday, (b) (6), (b) (7)(C), 2012 10:28 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Happy Birthday

Thanks (b) (6), (b) (7)(C) maybe next week during the on-premise event.....Cheers, hope you're well...

From: (b) (6), (b) (7)(C)
Sent: Wednesday, (b) (6), (b) (7)(C), 2012 2:14 AM
To: (b) (6), (b) (7)(C)
Subject: Happy Birthday

(b) (6), (b) (7)(C) hope you had a great birthday celebration !!! Hopefully we'll be able to have a beer one day to celebrate.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, May 15, 2013 12:05 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Beer sales

From: (b) (6), (b) (7)(C)
Sent: Wednesday, December 14, 2011 6:49 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Beer sales

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) told me to stop worrying about 3rd shift and focus on 1st more.....(LOL)....just kidding. To my knowledge, and this is fresh from last week when I talked to (b) (6), (b) (7)(C) about this, the law has not yet changed (unless it just happened) and it is on the radar of EBS.....I would expect some more regular hours, perhaps not every day, during the year where they open at 7:00....I've cc'd (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) direct feedback, (b) (6), (b) (7)(C) team is very service oriented, but also has it's financial and operational limitations, so lets measure our expectations...
Cheers,
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, December 14, 2011 3:55 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Beer sales

(b) (6), (b) (7)(C) I was just wondering when the beer store is going to start selling beer at 7 A.M. since they passed the law allowing sales. It would be a plus for those of us who work 3rd shift to be able to buy beer at 7 instead of waiting around till 8. Any help with this would be greatly appreciated.

Very respectfully,
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, May 15, 2013 12:04 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: Beer Sales

From: (b) (6), (b) (7)(C)
Sent: Thursday, December 15, 2011 4:27 PM
To: (b) (6), (b) (7)(C)
Subject: RE: Beer Sales

Thanks for bringing it up and being on top of state legislative proceedings....

From: (b) (6), (b) (7)(C)
Sent: Thursday, December 15, 2011 3:02 PM
To: (b) (6), (b) (7)(C)
Subject: Beer Sales

(b) (6), (b) (7)(C) Thanks for taking care of this issue, I really do appreciate the quick response. I'm sure that there will be many other people on 3rd shift who'll also appreciate this.

Very Respectfully,
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, November 13, 2012 9:06 AM
To: DL MBC Milwaukee Userid Deprovision
Cc: (b) (6), (b) (7)(C)
Subject: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) was separated from the company today (b) (6), (b) (7)(C), 2012. Please disable all systems and access. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) • Milwaukee Brewery
4000 W. State Street • Milwaukee, Wisconsin • 53201-8322
Office (b) (6), (b) (7)(C) • Cell (b) (6), (b) (7)(C) • Fax (414) 931-6332



CORRECTIVE ACTION HISTORY FORM

Employee Name: (b) (6), (b) (7)(C)

Department: Distribution

Clock #: (b) (6), (b) (7)(C)

Shift: 3rd

1. **OFFENSE**

Date: (b) (6), (b) (7)(C)/04

Time: 11:00 AM ☐ PM ☒

Describe the offense: You were forced in for overtime on 3rd shift Saturday (b) (6), (b) (7)(C)/04.

Why didn't you report to work as scheduled on Saturday evening?- sick

Do you understand the importance of honoring your overtime commitment?- yes

Were you instructed by a Union official not to show up?- no

If so, who and how were you notified ?

Name of Witness: None

Name of Industrial Relations Rep. Contacted: (b) (6), (b) (7)(C)

2. **FACT FINDING INTERVIEW**

Date: (b) (6), (b) (7)(C)/041

Time: 3:00 AM ☒ PM ☐

Attendance (Steward): (b) (6), (b) (7)(C)

Others: None

What reasons did the employee give for his/her actions?: Sick

What argument did the steward use to defend the employee?: Ask if (b) (6), (b) (7)(C) had a doctors note. Employee did not go to the doctor, but is going to try to get in today Tuesday.

Did you advise the employee and the steward of possible corrective action?: The absence will be reviewed in light of the plant's rules and attendance policy.

3. **OTHER**

To your knowledge, has the employee been previously counseled or disciplined for the same or similar offense (give type and date(s)): No

Additional comments: (b) (6), (b) (7)(C) told me Thursday night that (b) (6), (b) (7)(C) better not be forced in, because (b) (6), (b) (7)(C) had other plans. I told (b) (6), (b) (7)(C) name was on the list.

Recommendations:

Supervisor's Name: (b) (6), (b) (7)(C)

Person conducting the fact-finding: (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C)/04

(b) (6), (b) (7)(C)

From:

Content:

To:

Subject:

(b) (6), (b) (7)(C)

Monday (b) (6), (b) (7)(C) 2004 6:51 AM

(b) (6), (b) (7)(C)

2 forced (b) (6), (b) (7)(C) called in this weekend in distribution

The following two (b) (6), (b) (7)(C) called in this weekend in distribution.

Sat

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) did not have a good attitude on Friday at the start up meeting when I told everyone to look at the roster, because there were a lot of forced people.

(b) (6) told me I better not be forced I have plans and will not be here. "I said that is up to you have to do what you need to do"

Sun

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Add to Review forms



4000 W. STATE STREET, PO BOX M322
MILWAUKEE, WI 53201-8322
414.931 2000
www.MillerCoors.com

Date: (b) (6), (b) (7)(C) 2012
To: Nick Sommerville
Cc: (b) (6), (b) (7)(C)
From: (b) (6), (b) (7)(C)
Grievance#: (b) (6), (b) (7)(C)
RE: Step 3 Grievance — (b) (6), (b) (7)(C)

The Company and the Union meet to discuss the subject grievance on (b) (6), (b) (7)(C), 2012. (b) (6), (b) (7)(C) represented the Union. (b) (6), (b) (7)(C) were present for the Company. The Union contends that (b) (6), (b) (7)(C) was wrongly discharged under Plant Rules #1, #7 and #10. The Union asked that (b) (6), (b) (7)(C) be reinstated. Both parties mutually agreed to extend the time limits due to schedules.

The Company's position on the grievance is as follows:

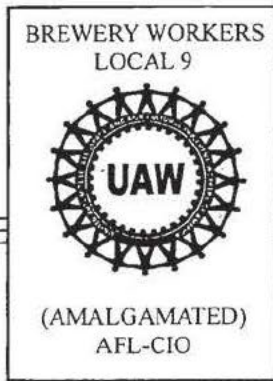
After reviewing the events of the incident and speaking to all parties, it was determined that (b) (6), (b) (7)(C) did leave work after an incident on the night of (b) (6), (b) (7)(C) 2012. In doing so, (b) (6), (b) (7)(C) did not notify anyone in Management or call in (b) (6), (b) (7)(C) absence in turn abandoning (b) (6), (b) (7)(C) job.

The Company finds no violation of Article 27, therefore this grievance is respectfully denied.

Sincerely,

(b) (6), (b) (7)(C)

MillerCoors
Milwaukee Brewery
4000 West State Street
Milwaukee, WI 53208
Phone: (b) (6), (b) (7)(C)



BREWERY WORKERS LOCAL 9

UAW (AMALGAMATED) AFL-CIO

9618 West Greenfield Avenue

Telephone (414) 475-5898

FAX (414) 475-6001

West Allis, Wisconsin 53214

(b) (6), (b) (7)(C) 2012

(b) (6), (b) (7)(C)

MillerCoors
4000 W. State Street
Milwaukee, WI 53201

Faxed to: 931-6332
Original mailed

Re: Grievance # (b) (6), (b) (7)(C)
Grievant: (b) (6), (b) (7)(C)

Dear (b) (6), (b) (7)(C)

The Union finds the Company's answer to the grievance referenced above to be unacceptable and is requesting that a 3rd step meeting be scheduled regarding this grievance as soon as possible.

Please contact me at your earliest convenience to set up this meeting.

Sincerely,

Brewery Workers Local 9 UAW

Nick Sommerville (b) (6), (b) (7)(C)

Nick Sommerville
Contract Committee Chair
Brewery Workers Bargaining Unit

NS (b) (6), (b) (7)(C)
opeiu#9afl-cio

BREWERY WORKERS LOCAL 9 UAW (AMALGAMATED) AFL-CIO

GRIEVANCE REPORT

(b) (6), (b) (7)(C)

1. Company MillerCoors Date (b) (6), (b) (7)(C) 12

2. Department Brewing Shift 3rd

3. Superintendent (b) (6), (b) (7)(C) Immediate Foreman _____

4. Witnesses - If Any _____

5. Nature of Grievance The Union disagrees with the severity of the corrective action issued to (b) (6), (b) (7)(C) The Union disputes the fact that (b) (6), (b) (7)(C) "yelled and swore at (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) "We also disagree with the alleged time (b) (6), (b) (7)(C) left and (b) (6), (b) (7)(C) alleged failed attempt to notify anyone from Management. The Union asks that (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) have (b) (6), (b) (7)(C) employment reinstated.

6. Which contract clause violated Article 27 and any other article or policies that apply

7. Signature of Local 9 member aggrieved (b) (6), (b) (7)(C)

8. Signature of Local 9 Shop Steward (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

9. Date Grievance referred to Union (b) (6), (b) (7)(C) 12

10. Date Grievance Settled _____

11. Disposition of Grievance _____

Signature of Union Representative



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C)/12
To: (b) (6), (b) (7)(C)
Subject: Grievance # (b) (6), (b) (7)(C)
Reason: The union disagrees with the severity of the corrective action issued to (b) (6), (b) (7)(C)
[In this case Termination of employment]

Step 2 Grievance Meeting

Based on the severity of this CA and the mutual agreement to move this to the appropriate level as soon as possible a 2nd step grievance meeting was not scheduled

Fact of the case

The management team understands that the union disputes some of the wording on the actual CA, but semantics aside there are 2 pertinent facts that remain undisputed:

- 1) (b) (6), (b) (7)(C) acted inappropriately during a pre-shift meeting, including the use of foul language, yelling and slamming the door upon exit.
- 2) (b) (6), (b) (7)(C) left (b) (6), (b) (7)(C) job station, department and plant without properly informing any member of management or using the other appropriate communication tools at (b) (6), (b) (7)(C) disposal, which is considered job abandonment.

2nd Step Official Response:

Grievance # (b) (6), (b) (7)(C) on behalf of (b) (6), (b) (7)(C) is respectfully declined.

MillerCoors Milwaukee Brewery 4000 W. State Street; Milwaukee, WI 53208;
Bldg 15-2 Brewing Department Phone: (b) (6), (b) (7)(C)
Cell: (b) (6), (b) (7)(C) Email: (b) (6), (b) (7)(C)@MillerCoors.com

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, (b) (6), (b) (7)(C) 2012 1:38 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: Grievance (b) (6), (b) (7)(C)
Attachments: (b) (6), (b) (7)(C).pdf

(b) (6), (b) (7)(C)

Here is the 2nd step response for the grievance. If you have any questions please let me know.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
MillerCoors, Milwaukee
Office: (b) (6), (b) (7)(C)
Cell: (b) (6), (b) (7)(C)
Email: (b) (6), (b) (7)(C)@MillerCoors.com

**MillerCoors
Employee Corrective Action**

(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Brewing	Brewery Worker
Employee	Emp No #	Dept	Job Classification

Violation of, but not limited to:

Discrimination and Harassment Free Work Environment Policy

Plant Rule 1#: Employees must be at their appointed work places, ready to work, at the regular starting time, and shall remain at such work places and at work until their regular quitting time. (This offensive in itself is terminable)

Plant Rule #7: An employee shall not neglect (b) (6), (b) (7)(C) job, duties and responsibilities, nor refuse to perform work assigned to (b) (6), (b) (7)(C)

Plant Rule #10: An employee must be available and report for work as schedule or overtime work as required or assigned to (b) (6), (b) (7)(C) (This offensive in itself is terminable)

Termination X

Facts of incident:

On (b) (6), (b) (7)(C), 2012 after being informed you were going to cover an absenteeism, you became agitated in your own words "lost control". You began yelling and swearing at the shift Team Leader during the pre-shift meeting. You walked out of the meeting slamming the door with such force the walls shook.

At approximately 11:00pm you decided to go home failing to notify anyone from Management that you left, in turn abandoning your job.

This Corrective Action is progressive in nature, and serves notice that continued violations of plant rules, policies, procedures, etc., will lead to further disciplinary action up to and including discharge.

(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Date	Date
Work Group Manager	
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Date	Date
Union Representative	

(b) (6), (b) (7)(C)

12

7:55 am

(b) (6), (b) (7)(C)

Present

(b) (6), (b) (7)(C)

Employment is being terminated. [redacted] went
in to read fact finding

(b) (6), (b) (7)(C)

asked if anyone has any questions
around the wording.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

[redacted] expressed concern that [redacted] doesn't
[redacted] was yelling at
[redacted] instead [redacted] was just yelling

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Also, [redacted] tried [redacted] 2x but couldn't
reach [redacted] so like in Hbt side
where they don't have a TV [redacted] told
the General

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

- No additional Questions.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

I asked [redacted] if [redacted] had any
Questions, [redacted] said no. Told us [redacted]
[redacted] have lockers here. They are
registered with Security.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Ensured we would have the
improvement process along.

Pg 2.

Meeting ideal.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

12



NOTE TO FILE

DATE: (b) (6), (b) (7)(C) /12

EMPLOYEE NAME (b) (6), (b) (7)(C)	SUPERVISOR / OTHERS PRESENT (b) (6), (b) (7)(C) – ALSO PRESENT (b) (6), (b) (7)(C)
DEPARTMENT BREWING - FINISHING	SHIFT 3RD

SUPERVISORS STATEMENT: (DETAIL OF EVENT, DATE, TIME, PLACE ETC.)

AS AN INTERESTING NOTE DUE TO UNPROFESSIONAL BEHAVIORS THAT HAVE OCCURRED IN RECENT WEEKS/MONTHS THE FOLLOWING MESSAGE WAS DELIVERED TO THE 3RD SHIFT TEAM PRIOR TO THE PRE-SHIFT MEETING BY (b) (6), (b) (7)(C):

THIS IS JUST A REMINDER TO 3RD SHIFT THAT BEGINNING TODAY WE ARE NO LONGER GOING TO CONTINUE ENTERTAINING, WHAT IN MANY DAYS OVER MY PAST THREE MONTHS AS TEAM LEAD HAS BEEN A 3 RING CIRCUS OF WHAT SHOULD'VE BEEN DONE ON 2ND SHIFT AND 1ST. MOST OF 3RD HAS BEHAVED AS THE PROFESSIONALS THAT THEY ARE IN MY OPINION, BUT WE NEED AND WILL GO FORWARD FROM THIS DAY ON CONDUCTING OURSELVES COLLECTIVELY IN A COURTEOUS AND PROFESSIONAL MANNER DURING THE PRE-SHIFTS. KNOWING THAT THINGS HAPPEN, THINGS DO NOT GET DONE, ARE NOT SCHEDULED TO GET DONE FOR A VARIETY OF REASON AND NOT JUST BECAUSE OF PERCEIVED INDOLENCE OR LAZINESS THAT SOME THINK AFFLICT CERTAIN INDIVIDUALS AND SHIFTS MORE THAN OTHERS.

IN ALL THE PRE-SHIFT MEETINGS I HAVE SAT ON FOR THE START OF (b) (6), (b) (7)(C) FIRST SHIFT, NOT ONCE AND I REPEAT AND EMPHASIZE, NOT ONCE, HAVE I HEARD ANYONE COMPLAIN OR QUESTION THE WORK PERFORMED OR NOT ACCOMPLISHED ON 3RD. THEIR MEETINGS ARE CONDUCTED WITH A DIGNITY AND PROFESSIONALISM THAT WILL BE OUR MODUS OPERANDI, OR CODE OF CONDUCT FOR PRE-SHIFT MEEINGS GOING FORWARD FROM THIS MOMENT ON. ANY QUESTIONING ON 2ND SHIFT'S WORK, WHAT WAS DONE OR NOT DONE, WILL NOT BE ACCEPTED AND WILL RESULT IN SOME FORM OF DISCIPLINARY ACTION. ANY QUESTIONS YOU MIGH HAVE CAN BE BROUGHT UP TO ME DURING THE SHIFT VERBALLY, BY EMAIL OR HOWEVER AND I PROMISE I WILL INVESTIGATE AND FORWARD THOSE CONCERNS TO (b) (6), (b) (7)(C) AND/OR (b) (6), (b) (7)(C) FOR FURTHER CONSIDERATION AND INVESTIGATION. I THANK YOU IN ADVANCE FOR YOUR SUPPORT AND PROFESSIONALISM IN THIS.

DURING THE L1 PRE-SHIFT MEETING OF (b) (6), (b) (7)(C) (3RD SHIFT THURSDAY (b) (6), (b) (7)(C)), IT WAS MENTIONED DURING THE PEOPLE PORTION THAT (b) (6), (b) (7)(C), HAD CALLED OFF. I FIRST ASKED THE I-HOUSE TANK CLEANERS WHETHER THERE WAS ANYONE PANEL- QUALIFIED WHO WANTED THE JOB. BOTH (b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) - NOT PANEL QUALIFIED) AND (b) (6), (b) (7)(C) TURNED IT DOWN. I ASKED THE (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), WHETHER (b) (6), (b) (7)(C) WAS INTERESTED IN THE JOB. (b) (6), (b) (7)(C) SAID NO. I THEN TOLD (b) (6), (b) (7)(C) THAT (b) (6), (b) (7)(C) WOULD HAVE TO TAKE THE FINAL PANEL OPERATOR JOB AS THERE WAS NO ONE ELSE TO DO IT.

AT THIS POINT, (b) (6), (b) (7)(C) ERUPTED SCREAMING AND SWEARING AT THE TOP OF (b) (6), (b) (7)(C) VOICE ABOUT HOW I AM ALWAYS STICKING IT TO (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) STOOD YELLING AT ME, AND BANGING (b) (6), (b) (7)(C) HAND ON THE TABLE, ABOUT HOW THIS IS THE LAST TIME YOU ARE GOING TO STICK IT TO ME (b) (6), (b) (7)(C) "LAST WEEK YOU WERE STICKING IT TO ME WITH FOUR DIFFERENT JOBS. THIS WEEK YOU'RE STICKING IT TO ME AGAIN." (b) (6), (b) (7)(C) THEN GOT UP AND SLAMMED (b) (6), (b) (7)(C) BUMP CAP ON THE TABLE SCREAMING HOW (b) (6), (b) (7)(C) HAS HAD IT WITH THIS "BULLSHIT" AND THAT "THIS IS THE LAST FUCKING TIME YOU'RE GOING TO STICK IT TO ME!" (b) (6), (b) (7)(C) GRABBED THE DOOR AND SLAMMED IT AS HARD AS (b) (6), (b) (7)(C) POSSIBLY COULD AGAINST THE WALL IN A BACKWARDS MOTION STORMING OUT OF THE MEETING. THE DOOR HIT WITH SUCH FORCE THAT IT RATTLED THE TEAM ROOM. THERE WAS COMPLETE SILENCE FOR THE NEXT 5-10 SECONDS WITH EVERYONE TOTALLY BESIDE THEMSELVES.

ONCE EVERYONE HAD LEFT, I REMAINED WITH (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) AND DISCUSSED HOW I WOULD HAVE TO CALL (b) (6), (b) (7)(C) TO INFORM (b) (6), (b) (7)(C) OF THE SITUATION I CALLED (b) (6), (b) (7)(C) AROUND 11:20 PM AND QUICKLY OVERVIEWED THE SITUATION. (b) (6), (b) (7)(C) SAID (b) (6), (b) (7)(C) WOULD CALL ME BACK AFTER CONFERRING WITH HR. (b) (6), (b) (7)(C) CALLED BACK AROUND 11:30 PM AND INSTRUCTED ME TO ARRANGE A MEETING IN THE FISH BOWL WITH SECURITY, (b) (6), (b) (7)(C) AND MYSELF THERE. EVERYONE SHOULD BE THERE BY THE TIME (b) (6), (b) (7)(C) ARRIVES.

I FIRST TRIED TO CONTACT (b) (6), (b) (7)(C) ON TWO OCCASIONS, BUT COULD NOT. I THEN TOLD (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), TO CONTACT (b) (6), (b) (7)(C) AND LET (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) KNOW TO MEET UPSTAIRS IN THE FISH BOWL AT MIDNIGHT. (b) (6), (b) (7)(C) CALLED BACK AND ASKED IF I LET (b) (6), (b) (7)(C) KNOW. I TOLD (b) (6), (b) (7)(C) THAT I THOUGHT THAT (b) (6), (b) (7)(C) HAD INFORMED (b) (6), (b) (7)(C) BUT THAT I WOULD CALL (b) (6), (b) (7)(C) AT THAT POINT, (b) (6), (b) (7)(C) OFFERED THAT (b) (6), (b) (7)(C) HAD SAID (b) (6), (b) (7)(C) WAS GOING HOME BECAUSE (b) (6), (b) (7)(C) AS FEELING SICK. I TOLD (b) (6), (b) (7)(C) THAT (b) (6), (b) (7)(C) HAD NOT TOLD ME ANYTHING.

9:30 AM - (b) (6), (b) (7)(C) /12 MEETING WITH (b) (6), (b) (7)(C)

JUST TO LET EVERYONE KNOW THAT THIS IS AN INVESTIGATION REGARDING WORKPLACE VIOLENCE AND HOSTILITY AND IT SHOULD BE TREATED LIKE A FACT FINDING AS FORMAL DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION COULD RESULT FROM THE OVERALL INVESTIGATION.

(b) (6), (b) (7)(C) THERE WAS AN INCIDENT AT THE PRE-SHIFT MEETING 3RD SHIFT THURSDAY LAST WEEK (11/1) – TELL ME ABOUT THAT

- (b) (6), (b) (7)(C) READ A PARAGRAPH ABOUT MAKING COMPLAINTS AGAINST 2ND SHIFT THEN WENT TO ROLL CALL AND (b) (6), (b) (7)(C) HAD CALLED IN. (b) (6), (b) (7)(C) ASKED FOR PEOPLE INTERESTED IN MOVING TO THE PANEL. (b) (6), (b) (7)(C) STARTED WITH ME “I SAID NO”, (b) (6), (b) (7)(C) WENT TO (b) (6), (b) (7)(C) WHO ISN’T PANEL QUALIFIED THEN TO (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) SAID “NO”. (b) (6), (b) (7)(C) ASKED (b) (6), (b) (7)(C) HOW TO PROCEED AND THE TEAM HAD DECIDED TO GO BY SENIORITY AND I’M THE LOWER PERSON.

- I SAID “THIS IS BULL SHIT, I WAS ON 4 DIFFERENT JOBS LAST WEEK” I GOT UP AND SLAMMED THE DOOR AS I LEFT.

- “I COULD HAVE HANDLED THE SITUATION A LOT BETTER”

DID YOU SAY ANYTHING LIKE “YOU’RE STICKING IT TO ME (b) (6), (b) (7)(C)”

- “NO I DIDN’T”

DID YOU SLAM YOUR BUMP CAP DOWN ON THE TABLE?

- “NO”

HOW WAS YOUR TONE, WERE YOU SCREAMING?

- YELLING YES, I DON’T REMEMBER SCREAMING

(b) (6), (b) (7)(C) DO YOU HAVE ANY MORE QUESTIONS ON THE EVENT?

(b) (6), (b) (7)(C) – (b) (6), (b) (7)(C) IF THE GROUP DECIDED THAT SENIORITY WAS THE SELECTION PROCESS WHY WERE YOU UPSET?

- “HOW CAN YOU GO TO THE SAME PERSON ALL THE TIME?”

- “I GO ABOVE & BEYOND, I JUST GOT FRUSTRATED, LOST MY COOL AND I APPOLOGIZE”

(b) (6), (b) (7)(C) BOTH MADE COMMENTS ABOUT THE FRUSTRATION THAT OCCURS AND THAT (b) (6), (b) (7)(C) HAS ALREADY SPOKEN TO THE TEAM ABOUT GETTING A BETTER SYSTEM IN PLACE]

(b) (6), (b) (7)(C) – (b) (6), (b) (7)(C) WERE YOU SWEARING AT (b) (6), (b) (7)(C)

- “I DID SAY THIS IS BULL SHIT”

RETURN TO (b) (6), (b) (7)(C)

AFTER THE EVENT AND YOU WENT TO THE PANEL YOU DECIDED TO GO HOME SICK, DID YOU TELL (b) (6), (b) (7)(C)

- I WENT AND CHANGED MY CLOTHES [BECAUSE YOU CAN WEAR YOUR STREET CLOTHES IN THE PANEL], I CALLED (b) (6), (b) (7)(C) AND SAID THAT I NEEDED HELP WITH THE FILTER PLAN, (b) (6), (b) (7)(C) SAID THAT (b) (6), (b) (7)(C) WOULD CALL ME BACK IN 5 MINUTES. AFTER 5 MINUTES I TRIED TO CALL (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) HUNG UP [THEY ALLUDED TO ISSUES WITH THE PHONES] I WAS GOING TO TELL (b) (6), (b) (7)(C) THAT I WAS GOING HOME SICK BECAUSE MY BLOOD PRESSURE WAS UP AND I THOUGHT IT WAS THE BEST THING TO GO HOME SO “I DIDN’T GET MYSELF INTO WORSE

TROUBLE". I ENDED UP TELLING (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) – FELLOW BREWERY WORKERS)

(b) (6), (b) (7)(C) – WHAT TIME WAS THAT?

- 5 MINUTES HAD PASSED SO ~ 11PM

DID YOU CALL BACK AFTER THE PHONE HUNG UP?

- "No"

DID YOU TRY A LAND LINE OR JUST THE NEXTEL?

- "JUST THE NEXTEL"

DID YOU TRY TO CALL ANY OTHER MANAGERS?

- (b) (6), (b) (7)(C) INTERJECTED THAT THERE IS NO MANAGER FOR THE HS SO (b) (6), (b) (7)(C) IS THE ONLY ONE

WHO ELSE WAS PRESENT AT THE MEETING?

- (b) (6), (b) (7)(C)

AT THIS TIME (b) (6), (b) (7)(C) ASKED "WHERE'S THIS ALL GOING?"

- (b) (6), (b) (7)(C) EXPLAINED THAT WE ARE CONTINUING THE INVESTIGATION AND THAT WE WOULD MOVE AS QUICKLY AS POSSIBLE BUT UNTIL THAT IS COMPLETED (b) (6), (b) (7)(C) WOULD HAVE (b) (6), (b) (7)(C) BADGE DEACTIVATED AND (b) (6), (b) (7)(C) WASN'T TO BE ON COMPANY PROPERTY OR TO CONTACT ANY OF (b) (6), (b) (7)(C) CO-WORKERS SO THAT THEY HAVE A CHANCE TO TELL THEIR SIDE OF THE STORY. (b) (6), (b) (7)(C) NODDED IN AGREEMENT MM-HMM)

(b) (6), (b) (7)(C)

FRT Finding Events 11/1

(b) (6), (b) (7)(C)

12
9:30 AM

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

was asked to be panel operator and declined. Then went to (b) (6), (b) (7)(C) who also declined. Due to how the team decided who does what job (they use seniority) (b) (6), (b) (7)(C) would do job

(b) (6), (b) (7)(C)

is frustrated as (b) (6), (b) (7)(C) did four jobs last week.

(b) (6), (b) (7)(C)

Said (b) (6), (b) (7)(C) could have handled it better. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) did not slam bumpcap on table. (b) (6), (b) (7)(C) did acknowledge (b) (6), (b) (7)(C) slammed the door to the meeting room.

"I was yelling, I lost control"

"Used words like This is Bullshit"

2ND Shift is not leaving Third Shift in a good spot.

Called (b) (6), (b) (7)(C) who stated I would be down
to panel room in a few mins.

(b) (6), (b) (7)(C) didn't show, called (b) (6), (b) (7)(C) again (b) (6), (b) (7)(C)
hanging up on me. I was not feeling
well, blood pressure was elevated.

I told (b) (6), (b) (7)(C) I was going home.

Witness to outburst: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)



TITLE: Discrimination and Harassment Free
Work Environment

ISSUE DATE: 09/01/10

APPROVAL: Chief Human Resources Officer

SUPERSEDES: 7/01/2008

Purpose:	This policy describes MillerCoors commitment to maintaining a work environment free from discrimination and harassment, and provides an avenue for making complaints
Principles:	MillerCoors prohibits unlawful discrimination, and strives to create a work atmosphere free from harassment. Respect for others is part of our values of integrity and respect and is the cornerstone for building trusting relationships through honesty and openness
Scope:	This policy applies to all employees of MillerCoors and its subsidiaries, and to non-employee contingent workers and vendors in their activities involving MillerCoors and its employees.
Accountability:	<p>Human Resources is responsible for issuing and updating this policy. Human Resources is the sole interpreter of this policy. All employees are responsible for complying with the provisions of MillerCoors policies.</p> <p>Nothing in this policy may be construed as modifying the At-Will Employment policy, which is incorporated in full by reference. As with all MillerCoors policies and practices, this MillerCoors policy: a) is subject to interpretation, change, or elimination, in management's discretion, at any time, with or without prior notice; and b) does not create contractual rights or alter an employee's at-will status.</p>
Policy/ Procedure:	<p>MillerCoors prohibits discriminatory employment practices or harassment in the workplace or in connection with one's job. Any employee (supervisor or non-supervisor) who engages in these prohibited activities or retaliates against an employee for making a complaint or participating in an investigation is subject to discipline, up to and including discharge. Similarly, such conduct involving visitors to MillerCoors premises, including non-employee contingent workers and employees of suppliers or customers, is also prohibited. It is the responsibility of all MillerCoors employees to comply with this policy and to report any violations.</p> <p>Discrimination/Harassment</p> <p>MillerCoors prohibits discrimination or harassment on the basis of race, color, creed, religion, sex, sexual orientation, gender identity, genetic information, age, national origin, ancestry, disability, military or veteran status, marital status, or status in any group protected by federal, state or local law. MillerCoors also prohibits offensive or inappropriate conduct that may not rise to the level of discrimination or harassment under applicable law, but may nonetheless be grounds for discipline or discharge. Examples of such conduct include rude or crude behavior that demeans other employees or an inappropriate relationship between a supervisor and a subordinate that compromises the supervisor's objectivity towards that employee or is reasonably perceived as compromising objectivity. No exhaustive list, however, is possible and employees must use common sense and treat others with respect and dignity.</p>

Harassment can occur in many different forms. It can be physical, verbal, visual or in a written form. Prohibited conduct includes, but is not limited to: epithets, slurs, jokes, negative remarks or stereotyping; threatening, intimidating or hostile acts, and materials (including e-mails) that demean, belittle or show hostility or aversion toward individuals or groups.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, visual, written or physical conduct of a sexual nature when:

- It is stated or implied that submission to such conduct is a condition of employment,
- It is stated or implied that submission to or rejection of such conduct is used as a basis for employment or promotion decisions, or
- Such conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

Whether a particular behavior is sexual harassment may depend on the circumstances and it is not possible to provide a complete list of behaviors that may be regarded as sexual harassment. Examples include unwanted physical contact or propositions of a sexual nature, particularly by employees with supervisory authority over the alleged victim. Foul language, obscene or offensive gestures or e-mails, sexually explicit jokes, remarks or pictures may also create an intimidating, hostile or offensive work environment. This kind of behavior is unacceptable, whether at the work-site or in any work-related setting outside the workplace, such as business trips, conventions or business-related social events.

An employee who is offended by such behavior is encouraged to so advise the offending party and ask that the behavior stop. If the offended employee is reluctant to do so, or if the discussion does not resolve the matter, the behavior should be reported as outlined below.

Complaints and Violations

An employee with a complaint about discrimination or harassment should report the matter to any one or more of the following:

- The employee's supervisor or the manager of the supervisor
- The employee's Human Resources representative
- Employee Relations
- Security (for after-hour reports)
- Company helpline at 1-888-278-1496

Employees also have the option of contacting the MillerCoors Employee Assistance Program (EAP) at 1-877-468-1009 (TDD/TTY: 1-800-855-2880) to discuss any concerns. Please note, due to the confidentiality of the EAP office, taking the matter solely to the EAP is not a report to the Company and the Company is not on notice of having received such a complaint.

MillerCoors policy is one of zero tolerance regarding discrimination and harassment. Zero tolerance means the Company investigates complaints to the extent appropriate

	<p>and takes disciplinary action as deemed appropriate to stop the prohibited conduct from reoccurring. Any employee who is found to have engaged in discrimination or harassment or inappropriate conduct in the workplace is subject to disciplinary action, up to and including termination for the first offense. In some cases an employee may be held individually liable for discrimination or harassment and subject to financial penalties under state or federal laws.</p> <p>Efforts will be made to limit the disclosure of information related to complaints or reports to those having a need to know. Supervisors must notify their Human Resources representative of any complaints received.</p> <p>If the Company determines that a complaint was not made in good faith or an employee provided false information regarding the complaint or failed to fully cooperate with the investigation, the Company may take disciplinary action, including termination, against the employee who filed the false complaint, gave the false information, or failed to cooperate.</p> <p>Retaliation</p> <p>The Company prohibits retaliation against a person who has made a good faith complaint of discrimination or harassment, or who assists in making a complaint or cooperates with an investigation. Any employee who feels retaliated against should promptly report the behavior using the complaint procedure described above.</p>
Contact:	Your HR representative

**MillerCoors LLC
Employee Corrective Action**

(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Brewing	Brewery Worker
Employee	Emp No#	Dept/Shift	Job Classification

Violation of, but not limited to:

Rules # 7 An employee shall not neglect (b) (6), (b) (7)(C) job, duties and responsibilities.

Written Warning: X

Facts of Incident:

On (b) (6), (b) (7)(C) 2012 while setting up 1 BTA route, you mistakenly entered L6 instead of S6. This error resulted in 250bbbs being fassed into 1500bbbs of L6 resulting in a cross blend.

On (b) (6), (b) (7)(C), 2012 a PRT of KK-4 (13-9) was made with 350bbbs of R3 stock instead of H1 stock. This error resulted in 75 minutes of Packaging downtime, and 1000 bbs of KK-4 cut from Packaging line schedules on (b) (6), (b) (7)(C) 2012.

Previous CA

Verbal Warning (b) (6), (b) (7)(C) /12

This Corrective Action is progressive in nature, and serves notice that continued violations of plant rules, policies, procedures, etc., will lead to further disciplinary action up to and including discharge

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date

(knowledges receipt)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date

les, Attendance Control Program and Anti-Harassment Policies are located at
[s/Policies%20&%20Procedures.htm](#)



Manager's Report of Corrective Action

SHIFT: 3

EMPLOYEE: (b) (6), (b) (7)(C)

CLOCK #: (b) (6), (b) (7)(C)

TEAM: FinishingTYPE OF CORRECTIVE ACTION: Written Warning.

BRIEFLY SUMMARIZE WHAT YOU TOLD THE EMPLOYEE:

I read the corrective action
verbatum.COMMENTS OR STATEMENTS MADE BY THE EMPLOYEE: No comments offered.STEWARD PRESENT: (b) (6), (b) (7)(C) IF NO STEWARD, WAS THE EMPLOYEE ASKED
IF THEY WANTED A STEWARD PRESENT? ☒COMMENTS OR STATEMENTS MADE BY THE STEWARD: None.OTHERS PRESENT (TWO MEMBERS OF MANAGEMENT REQUIRED FOR ALL SUSPENSIONS AND
DISCHARGES): (b) (6), (b) (7)(C)DATE ISSUED: (b) (6), (b) (7)(C) 12 TIME ISSUED: 4:55 PM/AM (b) (6), (b) (7)(C)DATE (b) (6), (b) (7)(C) 2012.

Note: In discharge situations notify security prior to issuing the discharge, collect the employees badge, cell phone, keys and all other Miller property. Security will escort the employee to their locker to clean out their personal belongings.

LABOR RELATIONS FOLLOW-UP BASED ON FINDINGS OF MEETING: _____

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, (b) (6), (b) (7)(C) 2012 1:42 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: I3-9, KK-4
Attachments: (b) (6), (b) (7)(C) 10.03.12.doc; Managers Report of Corrective Action.doc

(b) (6), (b) (7)(C) here is the corrective action for (b) (6), (b) (7)(C) I am sorry this took so long to turn around. If the Union says anything (which they shouldn't as this is a gift) direct them to me. Please work with (b) (6), (b) (7)(C) in issuing. If you have any questions please let me know. All signed copies go to (b) (6), (b) (7)(C). Thanks (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) – call me on this please.

Thanks, (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) Milwaukee Brewery
4000 W. State Street • Milwaukee, Wisconsin • 53201-8322
Office (b) (6), (b) (7)(C) • Cell (b) (6), (b) (7)(C) • Fax (414) 931-6332



From: (b) (6), (b) (7)(C)
Sent: Monday, (b) (6), (b) (7)(C), 2012 11:36 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: FW: I3-9, KK-4

(b) (6), (b) (7)(C)

Please review the 2 FF's at the link below. Both of these are related to producing a Leinenkugel's product with the wrong stock beer. After many hours of politicking we were able to save the beer but due to the timeliness packaging orders needed to be changed around and we ultimately missed shipments to customers. At this point we only have (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) story and they are both pointing to each other. My honest gut feeling is that (b) (6), (b) (7)(C) very likely did what (b) (6), (b) (7)(C) asked (b) (6), (b) (7)(C) to do and (b) (6), (b) (7)(C) made an error on what bank to have (b) (6), (b) (7)(C) open....but I can't prove that.

My recommendation at this point is that we should give them both formal CA in accordance with policy and progressive discipline (but we may need to speak live to determine if this is truly the correct course of action).

**Also note that (b) (6), (b) (7)(C) is a little more complex because (b) (6), (b) (7)(C) has an open FF awaiting CA from (b) (6), (b) (7)(C) /12

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, (b) (6), (b) (7)(C), 2012 12:04 PM
To: (b) (6), (b) (7)(C)
Subject: I3-9, KK-4

I have completed the investigation on the H1/R3 KK-4 that is in I3-9. (b) (6), (b) (7)(C) participated in both FFings. This is really a said / (b) (6), (b) (7)(C) said. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) gave (b) (6), (b) (7)(C) proper direction, while (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) followed the direction as written and

FACT FINDING FORM
Milwaukee Brewery

Employee Name: (b) (6), (b) (7)(C)
Department: Brewing

Clock #: (b) (6), (b) (7)(C)
Work Group: Finishing

Shift: 3

1. INCIDENT

Date: (b) (6), (b) (7)(C)/12

Time: 4:00 AM ☒ PM ☐

Describe the incident and action of employee: On (b) (6), (b) (7)(C) a PRT of KK-4 (I3-9) was made with 350bbl of R3 stock, this beer is supposed to be 100% H1 stock. Upon investigation it was found that when FINWN (H1) went empty the new stock was set up to F4NWS (R3) instead of F4NWN (H1), as the hand valves on F4NWN/S were incorrectly set to F4NWS (R3). D3 was indicating F4NWN (H1) was packed and running on the FNT return.

~~The tank was placed on hold B16 & B20 each were down ~75min waiting on the next PRT, and 1000bbl of KK-4 was cut from the packaging schedules on (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) was the final utility operator.~~

Name of Witness(es):

2. FACT FINDING INTERVIEW

Date: (b) (6), (b) (7)(C)/12

Time: 6:00 AM ☒ PM ☐

Steward (Required): (b) (6), (b) (7)(C)

Others Present: (b) (6), (b) (7)(C)

What reasons did the employee give for his/her actions? (b) (6), (b) (7)(C) stated that (b) (6) didn't keep the card so (b) (6) has no defense as to whether the right information was on the card to begin with. (b) (6) stated that (b) (6) believes (b) (6) opened & closed the hand valves per what was written on the card. In this instance (b) (6) went to F4NWN / F4NWS at ~4am but did not change any hand valves [this would indicate that the card was written out incorrectly] and then called (b) (6), (b) (7)(C) and said that the valves were correct per the card and the route was OK to pack. At the same time (b) (6), (b) (7)(C) verified the correct position of the hand valves on FINWN.

(b) (6), (b) (7)(C) stated that (b) (6) is on "high alert" due to the fact finding from (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that when (b) (6) is on panel (b) (6) packs (b) (6) own routes and the utility person just sets the valves. This depends on the person running panel as some prefer to have the utility person pack the route. (b) (6) said that the person packing the route [in this case (b) (6), (b) (7)(C)] should be watching the tank level to make sure it changes properly.

What argument did the steward use to defend the employee? (b) (6), (b) (7)(C) asked if wrong hand valves were typically a problem, both (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) responded "no".

Did you advise the employee and the steward of possible corrective action (Required)? Yes ☒ No ☐
If No, Why?

Has the employee been informally counseled for the same or similar activities? If yes, provide details:

(b) (6), (b) (7)(C) 12 - FF/CA: SW-4 loss wrong hand valve
(b) (6), (b) (7)(C) 2 - FF: L6/S6 fassing cross-blend

Additional comments: The PRT has been dispositioned for reprocessing @ 20% blend-off but must be pumped into good KK-4 beer then circulated and analyzed.

If corrective action is appropriate, Human Resources will determine, based on the facts provided and employee's corrective action history, what rules were violated and which level of discipline is appropriate.

3. OTHER

Conclusion of fact finding has determined the situation needs a process improvement in the following area:

Engineering ☐ Maintenance ☐ Quality ☐ Safety ☐ SOP ☐ Training ☐ Other ☐

Work Order Number:

Summary of process improvement followup:

Team Leader's Name: (b) (6), (b) (7)(C)

Person conducting the fact finding: (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C) 12

HR USE ONLY

Employee Relations Manager
Status

Date

FACT FINDING FORM

Milwaukee Brewery

Employee Name: (b) (6), (b) (7)(C)
Department: Brewing

Clock #: (b) (6), (b) (7)(C)

Shift: 3rd

1. INCIDENT

Date: (b) (6), (b) (7)(C) 12

Time: 23:30 AM ☐ PM ☒

Describe the incident and action of employee: At the shift hand off for the primary panel job, it was passed on that 1US was coming in on S6, 2US was running R7 and 3US was running L6. When (b) (6), (b) (7)(C) went to set up the 1 BTA route, (b) (6) mistakenly entered the brand L6 (instead of S6) and set 1US to fill to the I-East Fill to I7-B5. 3US was already filling to the same route & bank. A short while later (b) (6), (b) (7)(C) suspected something was wrong when the F-House bank the S6 was supposed to be filling to wasn't indicating any level in D/3. After having the primary utility operator check the F-House bank sightglass and there was no beer in the tanks, (b) (6) circulated the filter and in checking (b) (6) set up, found (b) (6) had the wrong brand/bank and route set up on 1US - (b) (6) notified team leader (b) (6), (b) (7)(C) right away. About 250 bbls of S6 is suspected of having been passed into about 1500 bbls of L6 in I7-B5, resulting in a cross-blend.

Name of Witness(es):

2. FACT FINDING INTERVIEW

Date: (b) (6), (b) (7)(C) 12

Time: 23:15 AM ☐ PM ☒

Steward (Required): (b) (6), (b) (7)(C)

Others Present: (b) (6), (b) (7)(C)

What reasons did the employee give for his/her actions? (b) (6), (b) (7)(C) admitted (b) (6) made a mistake and confused what was running on 1US with 3US..

Were reasons valid? Yes ☐ No ☐ If No, Why?

What argument did the steward use to defend the employee? (b) (6), (b) (7)(C) commented there should be programming in place that would have caught the brand mismatch at the BTA and not allowed it to advance.

Were reasons valid? Yes ☒ No ☐ If No, Why?

Did you advise the employee and the steward of possible corrective action (Required)? Yes ☒ No ☐
If No, Why?

Has the employee been informally counseled for the same or similar activities? If yes, provide details: Not to my knowledge.

Additional comments: (b) (6), (b) (7)(C) commented that (b) (6), (b) (7)(C) did call (b) (6), (b) (7)(C) right away and was very forthright in admitting (b) (6) made a mistake.

If corrective action is appropriate, Human Resources will determine, based on the facts provided and employee's corrective action history, what rules were violated and which level of discipline is appropriate.

3. OTHER

Conclusion of fact finding has determined the situation needs a process improvement in the following area:

Engineering ☐ Maintenance ☐ Quality ☐ Safety ☐ SOP ☐ Training ☐ Other ☒

Work Order Number:

Summary of process improvement followup: Need to look into programming changes to verify brand match at the BTA in D/3.

Team Leader's Name:



Person conducting the fact finding :



Date:

HR USE ONLY

Employee Relations Manager
Status

Date



Manager's Report of Corrective Action

EMPLOYEE: (b) (6), (b) (7)(C) CLOCK #: (b) (6), (b) (7)(C) SHIFT: 3
TEAM: FIN 3

TYPE OF CORRECTIVE ACTION: Verbal Warning

BRIEFLY SUMMARIZE WHAT YOU TOLD THE EMPLOYEE: Notified (b) (6), (b) (7)(C)
was receiving this verbal warning for violating the
Discrimination & Harassment Free Work Environment Policy
& the Acceptable Use Policy.
A copy of the Corrective Action was provided to the
employee & the steward.

COMMENTS OR STATEMENTS MADE BY THE EMPLOYEE: (b) (6), (b) (7)(C) indicated (b) (6), (b) (7)(C)
not be forwarding any emails in the future received
on (b) (6), (b) (7)(C) work email account.

STEWARD PRESENT: (b) (6), (b) (7)(C) IF NO STEWARD, WAS THE EMPLOYEE ASKED
IF THEY WANTED A STEWARD PRESENT? N/A

COMMENTS OR STATEMENTS MADE BY THE STEWARD: —

OTHERS PRESENT (TWO MEMBERS OF MANAGEMENT REQUIRED FOR ALL SUSPENSIONS AND
DISCHARGES): _____

DATE ISSUED: (b) (6), (b) (7)(C) 12 TIME ISSUED: 02:10 PM AM
(b) (6), (b) (7)(C)

DATE (b) (6), (b) (7)(C) 12

Note: In discharge situations notify security prior to issuing the discharge, collect the employees badge, cell phone, keys and all other Miller property. Security will escort the employee to their locker to clean out their personal belongings.

LABOR RELATIONS FOLLOW-UP BASED ON FINDINGS OF MEETING: _____

**MillerCoors
Employee Corrective Action**

(b) (6), (b) (7)(C) Employee	(b) (6), (b) (7)(C) Emp No #	Brewing Dept	<div style="border: 1px solid black; border-radius: 50%; width: 60px; height: 60px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">1/20</div>	Brewery Worker Job Classification
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Violation of, but not limited to:

Discrimination and Harassment Free Work Environment Policy:

This serves as notice that the Company's Discrimination and Harassment Free Work Environment Policy prohibits conduct including 'rude or crude behavior that demeans other employees...'. Prohibited conduct includes, but is not limited to: epithets, slurs, jokes, negative remarks or stereotyping; threatening, intimidating or hostile acts, and materials (including emails) that demean, belittle or show hostility or aversion toward individuals or groups. Please be aware that continued violation of the Company's Discrimination and Harassment Free Work Environment Policy will lead to further corrective action up to and including discharge.

Acceptable Use Policy:

This serves as notice that the Company's Acceptable Use Policy states that "Users must not send or forward e-mail messages, e-mail attachments or instant messages, which could be construed as defamatory, harassing or otherwise offensive."

Verbal Warning: X

Facts of incident:

On **(b) (6), (b) (7)(C)**, 2012 you sent an email with an inappropriate picture to other employees at work, using a company computer.

The content of the emails and the manner in which they were sent (using a company computer and network account) directly violate MillerCoors' Discrimination and Harassment Free Work Environment Policy and Acceptable Use Policy. Please be aware that continued violation of the Company's Discrimination and Harassment Free Work Environment Policy and/or Acceptable Use Policy will lead to further corrective action up to and including discharge.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date

ceipt)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Date

FACT FINDING FORM

Milwaukee Brewery

Employee Name: (b) (6), (b) (7)(C)

Department: *Brewing*

Clock #: (b) (6), (b) (7)(C)

Work Group: *Finishing 3rd*

Shift: *3rd*

1. INCIDENT

Date: (b) (6), (b) (7)(C) - *12*

Time: *11:15* AM ☐ PM ☒

Describe the incident and action of employee: *Employee Forwarded an email with an inappropriate picture attached.*

Name of Witness(es):

2. FACT FINDING INTERVIEW

Date: (b) (6), (b) (7)(C) - *12*

Time: *1:35* AM ☒ PM ☐

Steward (Required): (b) (6), (b) (7)(C)

Others Present: *-NONE-*

What reasons did the employee give for his/her actions?

Someone else sent the email to (b) (6), (b) (7)(C) - (b) (6), (b) (7)(C) Forwarded it to 5 others.

What argument did the steward use to defend the employee?

Did you advise the employee and the steward of possible corrective action (Required)? Yes ☒ No ☐
If No, Why?

Has the employee been informally counseled for the same or similar activities? If yes, provide details:

not to my knowledge.

Additional comments:

If corrective action is appropriate, Human Resources will determine, based on the facts provided and employee's corrective action history, what rules were violated and which level of discipline is appropriate.

3. OTHER

Conclusion of fact finding has determined the situation needs a process improvement in the following area:

Engineering ☐ Maintenance ☐ Quality ☐ Safety ☐ SOP ☐ Training ☐ Other ☐

Work Order Number:

Summary of process improvement followup:

Team Leader's Name: (b) (6), (b) (7)(C)

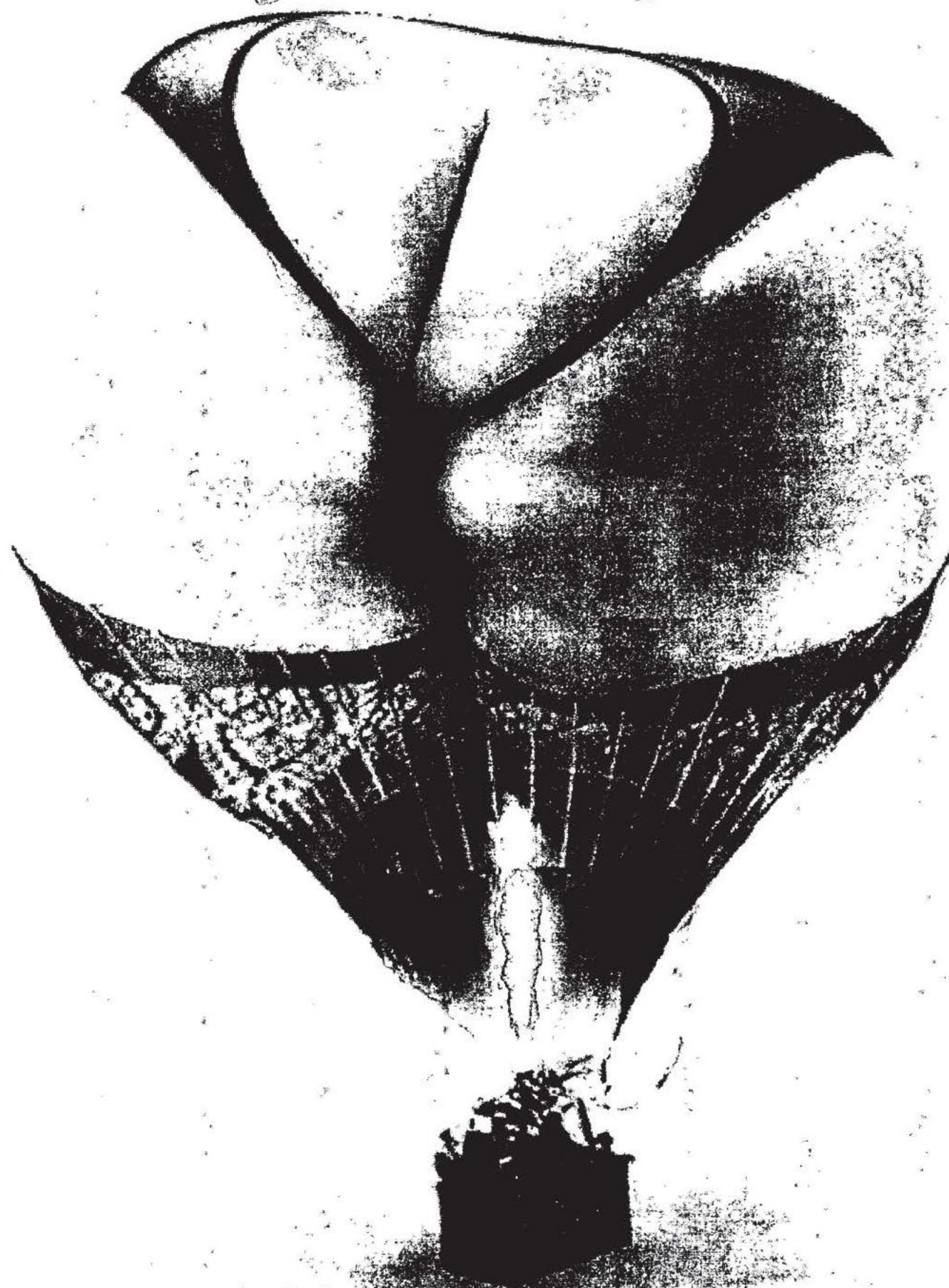
Person conducting the fact finding: *Same*

Date: (b) (6), (b) (7)(C) - *12*

HR USE ONLY

Employee Relations Manager
Status

Date





Manager's Report of Corrective Action

EMPLOYEE: (b) (6), (b) (7)(C) CLOCK #: (b) (6), (b) (7)(C) SHIFT: 3 TEAM: Finishing

TYPE OF CORRECTIVE ACTION: Verbal Warning.

BRIEFLY SUMMARIZE WHAT YOU TOLD THE EMPLOYEE: Indicated (b) (6), (b) (7)(C) was receiving a verbal warning corrective action for violation of plant rule #7, regarding the event on (b) (6), (b) (7)(C) 12.

COMMENTS OR STATEMENTS MADE BY THE EMPLOYEE: (b) (6), (b) (7)(C) indicated the beer loss was not 250 bbls, but closer to 160 bbls. (b) (6), (b) (7)(C) also stated it was a mistake and (b) (6), (b) (7)(C) reported to the Team Leader right away.

STEWARD PRESENT: YES (E. Figueroa) IF NO STEWARD, WAS THE EMPLOYEE ASKED IF THEY WANTED A STEWARD PRESENT? N/A

COMMENTS OR STATEMENTS MADE BY THE STEWARD: - NONE -

OTHERS PRESENT (TWO MEMBERS OF MANAGEMENT REQUIRED FOR ALL SUSPENSIONS AND DISCHARGES): - NONE -

DATE ISSUED: (b) (6), (b) (7)(C) 12

TIME ISSUED: 2:00 PM (AM)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) 12

DATE

Note: In discharge situations notify security prior to issuing the discharge, collect the employees badge, cell phone, keys and all other Miller property. Security will escort the employee to their locker to clean out their personal belongings.

LABOR RELATIONS FOLLOW-UP BASED ON FINDINGS OF MEETING

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Tuesday, (b) (6), (b) (7)(C) 2012 2:53 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: FW: Fact Finding (b) (6), (b) (7)(C)
Attachments: (b) (6), (b) (7)(C) 12.doc; Managers Report of Corrective Action.doc

(b) (6), (b) (7)(C)

Please deliver this CA to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) previously performed the FF. If you have any questions just let me know.

(b) (6), (b) (7)(C) will be the TL on this one.

From: (b) (6), (b) (7)(C)
Sent: Tuesday, (b) (6), (b) (7)(C) 2012 1:15 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: RE: Fact Finding (b) (6), (b) (7)(C)



(b) (6), (b) (7)(C) Managers Report of
(b) (6), (b) (7)(C) 12.doc (36 K.. Corrective ...

I did.. thanks for catching this. Not sure what TL will issue so I will let you forward. As a reminder signed copies and the manager's report of corrective action should be sent to (b) (6), (b) (7)(C)

Sorry I let this one slip. Thanks, (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Monday, (b) (6), (b) (7)(C) 2012 10:38 AM
To: (b) (6), (b) (7)(C)
Subject: FW: Fact Finding (b) (6), (b) (7)(C)

Not sure if this one is still in process or possibly fell onto the large stack after your vacation

From: (b) (6), (b) (7)(C)
Sent: Tuesday, February 14, 2012 11:11 AM
To: (b) (6), (b) (7)(C) @millercoors.com); (b) (6), (b) (7)(C) @millercoors.com)
Subject: FW: Fact Finding (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Please review the Fact Finding for (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) I made 1 correction to the FF, I changed the bbls lost from 160 to

FACT FINDING FORM

Milwaukee Brewery

Employee Name: (b) (6), (b) (7)(C)

Department: Brewing

Clock #: (b) (6), (b) (7)(C)

Work Group: FIN3

Shift: 3

1. INCIDENT

Date: (b) (6), (b) (7)(C)/12

Time: 0500 AM ☒ PM ☐

Describe the incident and action of employee: (b) (6), (b) (7)(C) was working as the final utility operator packing releases and setting up ENZ2 to CIP across the I3-1 > 4 header, (b) (6) was to open I-4 fill header to drain. (b) (6) wasn't getting any flow when trying to start ENZ2 CIP, so (b) (6) rechecked (b) (6) route and found that (b) (6) had accidentally opened I-6 fill header to drain instead of I-4. We were filling on ENZ1 SW-4 across I-6 at the time and lost ~250 bbls of SW-4 to the drain.

Name of Witness (es): None.

2. FACT FINDING INTERVIEW

Date: (b) (6), (b) (7)(C)/12

Time: 1230 AM ☒ PM ☐

Steward (Required): (b) (6), (b) (7)(C) requested (b) (6), (b) (7)(C).

Others Present: None.

What reasons did the employee give for his/her actions? (b) (6), (b) (7)(C) admitted to the mistake when it happen and called me right away so I could tell them to stop filling SW-4 on ENZ1. (b) (6), (b) (7)(C) said it was an honest mistake and the I-6 and I-4 fill header switches are right next to each other on the panel, they are labeled, but (b) (6) hit the wrong one and should have double checked (b) (6), (b) (7)(C).

What argument did the steward use to defend the employee? (b) (6), (b) (7)(C) stated it can happen, but that's why we should double check our routes and it would not have mattered had we not been filling anything on the I-6 fill header, but we caught it quickly and stopped filling the SW-4 tank. (b) (6), (b) (7)(C) also said there are pneumatic switches on I-3 at the top of the pipes and you can watch which flaps open and close to make sure you have the correct drain valve opening, this is something that not everyone knows.

Did you advise the employee and the steward of possible corrective action (Required)? Yes ☒ No ☐
If No, Why?

Has the employee been informally counseled for the same or similar activities? If yes, provide details: No

Additional comments: (b) (6), (b) (7)(C) and I took a walk up to I-3 so (b) (6) could show me what happen, the panel is small, but labeled and each switch is about an inch apart.

If corrective action is appropriate, Human Resources will determine, based on the facts provided and employee's corrective action history, what rules were violated and which level of discipline is appropriate.

3. OTHER

Conclusion of fact finding has determined the situation needs a process improvement in the following area:

Engineering ☐ Maintenance ☐ Quality ☐ Safety ☐ SOP ☐ Training ☐ Other ☐

Work Order Number:

Summary of process improvement followup:

Team Leader's Name: (b) (6), (b) (7)(C)

Person conducting the fact finding: (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C)/12

HR USE ONLY

Employee Relations Manager
Status

Date

DATE: (b) (6), (b) (7)(C) /11

EMPLOYEE NAME (b) (6), (b) (7)(C)	SUPERVISOR NAME (IF OTHERS PRESENT, INCLUDE NAME) (b) (6), (b) (7)(C)
DEPARTMENT BREWING - FINISHING	SHIFT 3RD (b) (6), (b) (7)(C)

SUPERVISORS STATEMENT: (DETAIL OF EVENT, DATE, TIME, PLACE)

SUMMARY OF CONVERSATIONS DOCUMENTED BY (b) (6), (b) (7)(C)

BACKGROUND:

ON FRIDAY (b) (6), (b) (7)(C) APPROACHED ME (b) (6), (b) (7)(C) OFF TO THE SIDE DURING A WCB IMPLEMENTATION TEAM MEETING AND SAID THAT (b) (6), (b) (7)(C) WANTED TO BRING FORWARD A CONCERN REGARDING A RECENT ISSUE BETWEEN A 2ND SHIFT EMPLOYEE AND 3RD SHIFT EMPLOYEE (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) DUE TO THE FACT THAT (b) (6), (b) (7)(C) WAS WORKING ON 1ST SHIFT THAT I ASKED (b) (6), (b) (7)(C) IF (b) (6), (b) (7)(C) COULD STAY OVER FOR A FEW MINUTES THAT AFTERNOON SO THAT WE COULD MEET WITH (b) (6), (b) (7)(C) TO DISCUSS THE DETAILS. (b) (6), (b) (7)(C) THOUGHT THAT WOULD BE A GOOD IDEA.

(b) (6), (b) (7)(C) 11 MEETING WITH (b) (6), (b) (7)(C) 3PM OTHERS PRESENT (b) (6), (b) (7)(C)

SUMMARY OF CONVERSATION BY (b) (6), (b) (7)(C)

I TOLD (b) (6), (b) (7)(C) THAT (b) (6), (b) (7)(C) HAD BROUGHT AN ISSUE TO MY ATTENTION REGARDING AN INCIDENT (b) (6), (b) (7)(C) HAD RECENTLY WITH (b) (6), (b) (7)(C) AND THAT I WAS PERFORMING AN OFFICIAL COMPANY INVESTIGATION BECAUSE I WANT TO ENSURE THAT WE MAINTAIN A WORKPLACE THAT IS FREE OF VIOLENCE AND HARRASSMENT.

TELL ME WHAT HAPPENED WITH (b) (6), (b) (7)(C) ...

- I GENERALLY GET ALONG WITH (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) IS NORMALLY KIND OF HARSH" AND (b) (6), (b) (7)(C) SPEAKS IN A "LOAD" TONE BUT ON WEDNESDAY (b) (6), (b) (7)(C) I WAS SWEEPING UP IN THE POWDER ROOM AND I HAD STOPPED TO WORK ON ANOTHER JOB AND THERE WAS A SMALL PILE OF DUST LEFT TO PICK UP. (b) (6), (b) (7)(C) WALKED THROUGH THE POWERDER ROOM ~10:20 PM AND "YELLED SAYING THAT I BETTER PICK THAT UP", I KIND OF JUST IGNORED (b) (6), (b) (7)(C) BECAUSE THAT WAS (b) (6), (b) (7)(C) USUAL TONE AND AS (b) (6), (b) (7)(C) WALKED AWAY (b) (6), (b) (7)(C) "YELLED AGAIN SAYING YOU BETTER FUCKING PICK THAT UP".

I PROBED TO TELL ME MORE ABOUT THE TONE, BODY LANGUAGE

- (b) (6), (b) (7)(C) IS ALWAYS YELLING, HE'S A LOAD MOUTH", (b) (6), (b) (7)(C) WASN'T EVEN THE PERSON RELIEVING ME ON THAT JOB.

WHY DO YOU THINK (b) (6), (b) (7)(C) CAME THROUGH THE POWDER ROOM?

- THAT IS THE WAY (b) (6), (b) (7)(C) COMES INTO THE DEPARTMENT

*** BASED ON (b) (6), (b) (7)(C) SPEAKING TONE BEING TENTATIVE AND (b) (6), (b) (7)(C) BODY LANGUAGE MY PERCEPTION IS THAT (b) (6), (b) (7)(C) WAS NOT COMFORTABLE DISCUSSING THIS.

AT THIS POINT (b) (6), (b) (7)(C) BEGAN TO SHARE SOME COMMENTS AS WELL:

- "THIS IS NOT THE FIRST TIME (b) (6), (b) (7)(C) HAS HAD ISSUES WITH 2ND SHIFT"
- "WE DON'T WANT TO BE BULLIED ANYMORE"
- "I'M WATCHING THIS BECOME MORE SERIOUS"
- "WE NEED TO DO SOMETHING BEFORE IT GOES BAD, IT REALLY TOOK A LOT FOR ME TO BRING THIS TO YOU".

I SHARED MY APPRECIATION ON BRINGING THIS FORWARD, TOGETHER WE NEED TO ENSURE THAT WE HAVE A WORKPLACE FREE OF VIOLENCE AND HARRASSMENT SO OUR PEOPLE DON'T HAVE FEAR OF THEIR CO-WORKERS.

(b) (6), (b) (7)(C) SHARED SOME COMMENTS REGARDING (b) (6), (b) (7)(C) GENERAL USE OF LANGUAGE AND THAT (b) (6), (b) (7)(C) CAN'T COMPLETE A SENTENCE WITHOUT USING THE "F" WORD. (b) (6), (b) (7)(C) DID MENTION THAT (b) (6), (b) (7)(C) RECENTLY COUNSELED (b) (6), (b) (7)(C) ON THAT.

IS THERE ANYONE ELSE I SHOULD TALK TO?

- (b) (6), (b) (7)(C) MENTIONED THAT I SHOULD TALK TO (b) (6), (b) (7)(C) AND POSSIBLY (b) (6), (b) (7)(C)

I LET THEM KNOW THAT I WOULD BE TALKING TO SOME OTHER PEOPLE AND THAT WE WOULD GET BACK TO THEM AT SOME POINT.

(b) (6), (b) (7)(C) 11 MEETING WITH (b) (6), (b) (7)(C) ~3:30 PM OTHERS PRESENT (b) (6), (b) (7)(C)

- SUMMARY OF CONVERSATION BY (b) (6), (b) (7)(C)

I TOLD (b) (6), (b) (7)(C) THAT I WAS PERFORMING AN OFFICIAL COMPANY INVESTIGATION FOR A POTENTIAL HOSTILE WORKPLACE/ WORK PLACE VIOLENCE SENARIO AND THAT DURING THE INVESTIGATION IT WAS MENTIONED THAT IT MIGHT BE RELEVANT THAT I SPEAK WITH (b) (6), (b) (7)(C)

TELL ME WHAT YOU KNOW ABOUT HOW (b) (6), (b) (7)(C) TREATS (b) (6), (b) (7)(C) CO-WORKERS....

- (b) (6), (b) (7)(C) IMMEDIATELY RESPONDED BY SAYING " (b) (6), (b) (7)(C) DOESN'T DO THAT TO ME ANYMORE BECAUSE I STAND UP TO (b) (6), (b) (7)(C) DO WHAT TO YOU?"

- " (b) (6), (b) (7)(C) PICKS OUT WEAKER PEOPLE AND ANTIMIDATES THEM", (b) (6), (b) (7)(C) TRIED THAT WITH ME A COUPLE YEARS AGO AND BECAUSE I STOOD UP TO (b) (6), (b) (7)(C) I HAVEN'T HAD ANY PROBLEMS SINCE.

DO YOU HAVE ANY EXAMPLES FROM THIS YEAR?

- "NO"

HAVE YOU WITNESSED ANYONE ELSE BEING ANTIMIDATED THIS YEAR?

- "NO"

ANYONE ELSE I SHOULD TALK TO OR ANYTHING ELSE I SHOULD KNOW?

- "ONCE YOU GO OFF ON (b) (6), (b) (7)(C) HE'LL LEAVE YOU ALONE, WITH (b) (6), (b) (7)(C) DONE IT SO MUCH THAT (b) (6), (b) (7)(C) BEHAVIOR HAS BECOME [ACCEPTED AS] NORMAL".

(b) (6), (b) (7)(C) 11 [3RD SHIFT MONDAY] MEETING WITH (b) (6), (b) (7)(C) ~5:40 AM OTHERS PRESENT (b) (6), (b) (7)(C)

- SUMMARY OF CONVERSATION BY (b) (6), (b) (7)(C)

I TOLD (b) (6), (b) (7)(C) THAT I WAS PERFORMING AN OFFICIAL COMPANY INVESTIGATION FOR A POTENTIAL HOSTILE WORKPLACE/ WORK PLACE VIOLENCE SENARIO AND THAT DURING THE INVESTIGATION IT WAS MENTIONED THAT IT MIGHT BE RELEVANT THAT I SPEAK WITH (b) (6), (b) (7)(C) I ALSO TOLD (b) (6), (b) (7)(C) BECAUSE (b) (6), (b) (7)(C) WAS (b) (6), (b) (7)(C) WE COULD GET SOMEONE ELSE HERE FROM THE UNION IF (b) (6), (b) (7)(C) NEEDED.

- (b) (6), (b) (7)(C) WAS COMPLETELY COMFORTABLE AND BEGAN BY SAYING "I THOUGHT YOU WOULD COME SEE ME ANYWAY". (b) (6), (b) (7)(C) CONTINUED TO SAY THAT (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) HAD ALREADY SPOKEN. (b) (6), (b) (7)(C) MENTIONED THAT (b) (6), (b) (7)(C) HAD ALSO ALREADY SPOKEN WITH (b) (6), (b) (7)(C) AND PER THEIR CONVERSATION (b) (6), (b) (7)(C) WITNESSED THE INCIDENT AT HAND AND HAD SAID THAT (b) (6), (b) (7)(C) WAS ONLY REMINDING (b) (6), (b) (7)(C) TO PICK UP (b) (6), (b) (7)(C) MESS.

DO YOU HAVE ANYTHING SPECIFIC I SHOULD KNOW ABOUT HOW (b) (6), (b) (7)(C) INTERACTS WITH (b) (6), (b) (7)(C) CO-WORKERS?

- YOU KNOW (b) (6), (b) (7)(C) IS "VERY BIG AND DOMINEERING" BUT I DON'T THINK ANYTHING THAT MAKES FOR A HOSTILE WORK ENVIRONMENT. SOMETIMES YOU JUST NEED TO GET TO KNOW PEOPLE AND UNDERSTAND HOW THEY WORK. (b) (6), (b) (7)(C) IS VERY FORWARD, HAS A "BOOMING" VOICE BUT NOTHING HOSTILE OR ANTIMIDATING FOR ME PERSONALLY.

(b) (6), (b) (7)(C) ANYTHING ELSE I SHOULD KNOW?

- PERSONALLY I HAVE NO PROBLEM WITH (b) (6), (b) (7)(C) IS ALWAYS THE FIRST PERSON TO HELP ME. (b) (6), (b) (7)(C) KNOWS THAT THIS IS COMING AND (b) (6), (b) (7)(C) WILL MAKE MENTION THAT IN THE EMAIL YOU SENT [EMAIL TO THE DEPARTMENT FROM (b) (6), (b) (7)(C)] THAT IT WAS OK TO REMIND YOUR CO-WORKERS. AT THAT POINT I INTERJECTED THAT THE STATEMENT IS CORRECT BUT THE WORDS FOLLOWING ALSO SAID TO TREAT YOUR CO-WORKERS WITH RESPECT.

ANYONE ELSE I SHOULD TALK TO?

(b) (6), (b) (7)(C)

I ENDED BY GIVING (b) (6), (b) (7)(C) A COPY OF THE OF THE DISCRIMINATION AND HARASSMENT FREE WORK ENVIRONMENT AND WORKPLACE VIOLENCE POLICIES AND LET (b) (6), (b) (7)(C) KNOW THAT OUR CONVERSATION SHOULD BE KEPT AS CONFIDENTIAL AS POSSIBLE BUT I UNDERSTOOD THAT (b) (6), (b) (7)(C) WAS (b) (6), (b) (7)(C) AS WELL AS THIS IS ALREADY SOMEWHAT A KNOWN CONCERN. WE MADE ARRANGEMENTS TO MEET WITH (b) (6), (b) (7)(C) TOMORROW (b) (6), (b) (7)(C) 11]. (b) (6), (b) (7)(C) SAID (b) (6), (b) (7)(C) WOULD LET (b) (6), (b) (7)(C) KNOW.

****NOTE - (b) (6), (b) (7)(C) CALLED ME ~ 6:30 AM STATING THAT (b) (6), (b) (7)(C) REQUESTED THAT WE WAIT UNTIL (b) (6), (b) (7)(C) RETURNS FROM WORK TO HAVE THIS CONVERSATION. I LET (b) (6), (b) (7)(C) KNOW THAT WASN'T AN OPTION BECAUSE I NEEDED TO SPEAK WITH (b) (6), (b) (7)(C) AND IF FOLLOW UP NEEDED TO OCCUR WITH (b) (6), (b) (7)(C) I WOULD REACH OUT AFTER (b) (6), (b) (7)(C) RETURNS FROM (b) (6), (b) (7)(C) VACATION.**

***** (b) (6), (b) (7)(C) 11 ~ 3:30PM PROVIDED COPIES OF DISCRIMINATION AND HARASSMENT FREE WORK ENVIRONMENT AND WORKPLACE VIOLENCE POLICIES TO (b) (6), (b) (7)(C) FOR DISTRIBUTION TO (b) (6), (b) (7)(C)**

(b) (6), (b) (7)(C) 1 [3RD SHIFT TUESDAY] MEETING WITH (b) (6), (b) (7)(C) ~5:30 AM OTHERS PRESENT (b) (6), (b) (7)(C)
- SUMMARY OF CONVERSATION BY (b) (6), (b) (7)(C)

I TOLD (b) (6), (b) (7)(C) THAT I UNDERSTOOD (b) (6) HAD SOME UNDERSTANDING OF WHAT IS HAPPENING BUT LET (b) (6), (b) (7)(C) KNOW THAT THIS IS AN OFFICAL COMPANY INVESTIGATION REGARDING THE POTENTIAL FOR A HOSTILE WORKPLACE/ WORK PLACE VIOLENCE SENARIO. I LET (b) (6), (b) (7)(C) KNOW THAT ALTHOUGH I WASN'T GOING TO USE THE STANDARD FORM THAT (b) (6) SHOULD CONSIDER THIS A FACT FINDING AND BASED ON THE DATA OF THE CASE (b) (6) COULD BE ISSUED FORMAL CORRECTIVE ACTION.

(b) (6), (b) (7)(C) YOU ARE AWARE OF THE SITUATION AT HAND GIVE ME YOUR ACCOUNT OF WHAT HAPPENED LAST WEEK WITH (b) (6), (b) (7)(C) IN THE POWDER ROOM -

- I WAS COMING THROUGH THE POWER ROOM WITH (b) (6), (b) (7)(C) ON MY WAY INTO THE BUILDING AND SAW A PUSH BROOM NEXT TO THE BAILER WITH A SMALL PILE OF STUFF THAT WAS SWEEPED BUT NOT PICKED UP. I SAID TO (b) (6), (b) (7)(C) "HEY (b) (6), (b) (7)(C) DON'T FORGET TO PICK UP THE TRASH" - [WHILE EXPLAINING (b) (6) USED A VERY MILD VOICE]. THEN WE WENT UPSTAIRS AND CLOCKED IN.

DID YOU ONLY MENTION IT ONCE?

- YES, (b) (6) KIND OF SMURKED AS (b) (6) WAS DUMPING POWDER... I DID NOT SAY ANYTHING ELSE

AFTER (b) (6) SMURKED OR FAILED TO REPLY, DID YOU YELL "YOU BETTER FUCKING PICK THAT UP"?

- ABSOLUTELY NOT

AT THIS TIME I PROVIDED (b) (6), (b) (7)(C) WITH A COPY OF THE DISCRIMINATION AND HARASSMENT FREE WORK ENVIRONMENT AND WORKPLACE VIOLENCE POLICIES. I HIGHLIGHTED AND EMPHASIZED THAT RETAILIATION TO ANY EMPLOYEE BRINGING FORWARD A CONCERN WOULD RESULT IN IMMEDIATE DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION.

(b) (6), (b) (7)(C) THEN SAID THAT (b) (6) FELT THAT (b) (6) WAS BEING DISCRIMINATED AGAINST BECAUSE I'M BIG AND SPEAK LOAD.

(b) (6), (b) (7)(C) THEN INERJECTED ON (b) (6), (b) (7)(C) BEHALF AND SAID "IN (b) (6) DEFENCE, (b) (6), (b) (7)(C) A HARD WORKER, (b) (6) HAS MADE ME A BETTER EMPLOYEE. (b) (6) THEN REFERED TO AN EMAIL I HAD SENT OUR PREVIOUSLY REGARDING IT'S OK TO ASK QUESTIONS OF EACH OTHER BUT TO TREAT EACH OTHER WITH RESPECT. I THINK THAT IT HAS TO DO WITH (b) (6) DIRECT APPROACH AND LOAD VOICE.

I LET THEM BOTH KNOW THAT REGARDLESS OF THE OUTCOME OF THIS INVESTIGATION THAT I FEEL THERE IS SOME REAL OPPORTUNITY FOR IMPROVEMENT TO HOW (b) (6), (b) (7)(C) INTERACTS WITH (b) (6) CO-WORKERS.

- (b) (6), (b) (7)(C) INTERJECTED [STONGLY] AND SAID WHAT CAN I DO DIFFERENT, "WHAT ARE PEOPLE SEEING THAT IS A PROBLEM". I ROLE PLAYED WITH (b) (6), (b) (7)(C) BRIEFLY AND SAID THAT THE BODY LANGUAGE AND TONE (b) (6) JUST PROJECTED COULD BE CONSIDERED ANTIMIDATING TO SOME PEOPLE AND THAT AFTER WORKING WITH HR I WOULD BE MAKING SOME RECOMMENDATIONS THAT WOULD PROVIDE (b) (6), (b) (7)(C) SOME TOOLS TO HELP (b) (6), (b) (7)(C) PRESENT (b) (6), (b) (7)(C) IN A DIFFERENT MANNER. THERE A LOT OF BIG PEOPLE THAT DON'T ANTIMIDATE THEIR CO-WORKERS. THIS ISSUE WITH (b) (6), (b) (7)(C) IS SPECIFIC BUT THERE ARE COMMENTS FROM THE PEOPLE YOU WORK WITH THAT DEMONSTRATE A PATTERN OF BEHAVIOR.

(b) (6), (b) (7)(C) PROCEEDED TO DISCUSS (b) (6) CONCERN REGARDING THIS COULD BE POTENTIAL RETALIATION FROM (b) (6), (b) (7)(C) BECAUSE I TELL ON THEM FOR PARKING. (b) (6) SAID A LOT OF THE PEOPLE ON 2ND SHIFT DON'T LIKE ME BECAUSE I TELL ON THEM FOR PARKING AND SMOKING, BUT I HAVE NEVER HAD A PROBLEM WITH (b) (6), (b) (7)(C) "I DON'T BOTHER ANYONE, I JUST DO THE PASS DOWN AND SAY THANKS". DO YOU YELL AT THEM?

- "I DON'T YELL AT ANYONE"

(b) (6), (b) (7)(C) WHEN I FIRST CAME HERE I WITNESSED YOU YELLING AT (b) (6), (b) (7)(C) [AND REFERENCED AN INCIDENT IN THE PANEL ROOM WHEN I FIRST STARTED AT THE BREWERY]

- "I SAID I DON'T YELL AT 2ND SHIFT"

I TOLD THEM THAT IN TODAY'S ENVIRONMENT WE WOULD NOT ACCEPT THE BEHAVIORS THAT WERE THE NORM 20, 10 AND 5 YEARS AGO. I ALSO SAID THAT IT WAS NOT (b) (6) PERCEPTION THAT WAS THE DECIDING FACTOR FOR A HOSTILE WORK ENVIRONMENT THAT BY LAW AND POLICY IT IS THE PERCEPTION OF THE RECEIVING PERSON THAT DETERMINES THE DEFINITION OF HOSTILE.

I CONCLUDED BY LETTING THEM KNOW THAT THIS CONVERSATION NEEDS TO BE KEPT CONFIDENTIAL AS IT IS AN OFFICAL COMPANY INVESTIGATION. I ALSO REITERATED THE IMPORTANCE OF NOT RETALIATING FOR SOMEONE BRINGING FORWARD A COMPLAINT. I THEN SAID TO KEEP THINGS SAFE WE NEED TO PUT SOME RULES IN PLACE FOR ANY PASS DOWN BETWEEN YOURSELF AND (b) (6), (b) (7)(C) UNTIL THIS INVESTIGATION IS COMPLETED. AFTER SOME CONVERSATION WE DECIDED THAT FOR (b) (6) OWN PROTECTION (b) (6) WOULD CONTACT (b) (6) SUPERVISOR TO BE PRESENT FOR ANY DIRECT COMMUNICATION BETWEEN (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) OR (b) (6), (b) (7)(C) IN THE SHORT TERM.

(b) (6), (b) (7)(C) IS THERE ANYONE ELSE I SHOULD TALK TO?

- JUST (b) (6), (b) (7)(C) NO ONE ELSE WAS THERE.

I LET THEM BOTH KNOW WE WOULD FOLLOW UP AFTER THE CLOSE OF THE INVESTIGATION.

(b) (6), (b) (7)(C) IS ON VACATION AND WILL RETURN (b) (6), (b) (7)(C)

***CONSULT WITH HR ON NEXT STEPS

(b) (6), (b) (7)(C) 11 [3RD SHIFT MONDAY] MEETING WITH (b) (6), (b) (7)(C) 5:45 AM OTHERS PRESENT (b) (6), (b) (7)(C)

- SUMMARY OF CONVERSATION BY (b) (6), (b) (7)(C)

I TOLD (b) (6), (b) (7)(C) THAT I WAS MEETING WITH (b) (6), (b) (7)(C) AS PART OF AN OFFICAL COMPANY INVESTIGATION REGARDING A POTENTIAL HOSTILE WORKPLACE/ WORK PLACE VIOLENCE SITUATION IN WHICH (b) (6), (b) (7)(C) WAS NAMED AS A WITNESS.

I PROVIDED (b) (6), (b) (7)(C) A COPY OF THE DISCRIMINATION AND HARASSMENT FREE WORK ENVIRONMENT AND WORKPLACE VIOLENCE POLICIES. I HIGHLIGHTED THE RETAILIATION SECTION AND LET (b) (6), (b) (7)(C) KNOW THAT IF AT ANY TIME (b) (6), (b) (7)(C) FELT RETALIATION FOR PARTICIPATION IN THE INVESTIGATION THAT (b) (6), (b) (7)(C) WAS TO BRING IT TO (b) (6), (b) (7)(C) SUPERVISOR OR MYSELF IMMEDIATELY.

(b) (6), (b) (7)(C) WHAT DO YOU KNOW ABOUT WHY WE ARE MEETING?

- I DON'T KNOW ANYTHING

A WEEK BEFORE YOU WENT ON VACATION YOU AND (b) (6), (b) (7)(C) WERE WALKING THROUGH THE POWDER ROOM ON YOUR WAY INTO THE PLANT AND (b) (6), (b) (7)(C) MADE SOME COMMENTS TO (b) (6), (b) (7)(C). TALK TO ME ABOUT YOUR RECOLLECTION:

- WE WERE WALKING IN AND A LOT OF TIMES PEOPLE SWEEP THE DIRT INTO A PILE AND JUST LEAVE IT THERE. (b) (6), (b) (7)(C) WAS DUMPING DE AND (b) (6), (b) (7)(C) SAYS TO (b) (6), (b) (7)(C) HEY DON'T FORGET TO PICK THAT UP".

WHAT TIME WAS THIS?

~10:15, WE DON'T COME IN AN HOUR EARLY BUT WE'RE HERE EARLY ENOUGH TO MAKE COFFEE.

WERE YOU WITH (b) (6), (b) (7)(C) THE WHOLE TIME?

- "YEAH, WE JUST WALKED THROUGH"

DID (b) (6), (b) (7)(C) MAKE ANY OVER THE SHOULDER COMMENTS AFTER (b) (6), (b) (7)(C) DIDN'T RESPOND?

- NO, WE JUST WALKED THROUGH; I DON'T EVEN KNOW WHY WE WALKED THROUGH THERE BECAUSE WE NORMALLY WALK AROUND. [I INTERJECTED, ITS NOT RELEVANT TO THE SITUATION BUT YOU SHOULD WALK AROUND BECAUSE THAT IS A PPE REQUIRED AREA AND I ASSUME YOU DIDN'T HAVE YOUR PPE... (b) (6), (b) (7)(C) NODDED IN AGREEMENT]

HOW ABOUT (b) (6), (b) (7)(C) TONE WITH (b) (6), (b) (7)(C)...TELL ME ABOUT THAT?

- (b) (6), (b) (7)(C) NEVER SUPER QUIET BUT (b) (6), (b) (7)(C) SAID JUST PICK IT UP. (b) (6), (b) (7)(C) SAID JOKINGLY THAT MANY OF US (b) (6), (b) (7)(C) ARE A LITTLE DEAFER AND SPEAK LOUDER. (b) (6), (b) (7)(C) CONTINUED AND ASKED ARE WE NOT SUPPOSED TO ASK THESE (b) (6), (b) (7)(C) THIS KIND OF STUFF [I REPLIED THAT IT IS MY EXPECTATION THAT TENURED EMPLOYEES TEACH AND REMIND THEIR COUNTERPARTS TO DO THE RIGHT THING...BUT HOWEVER IT MUST ALWAYS BE DONE WITH RESPECT]

- (b) (6), (b) (7)(C) CONTINUED SAYING THAT (b) (6), (b) (7)(C) DIDN'T DO ANYTHING OUT OF THE ORDINARY AS FAR AS I'M CONCERNED AND THAT WHEN WE WERE KNEW WE WEREN'T ALWAYS TREATED WITH RESPECT. [I INTERJECTED THAT THE BEHAVIORS ACCEPTED 20, 10 AND 5 YEARS AGO ARE NOT ACCEPTABLE TODAY AND THAT WE NEEDED TO TREAT EACH OTHER WITH RESPECT...AND I'M NOT SURE THAT IS ALWAYS ORDINARY]

- (b) (6), (b) (7)(C) SAID THAT WE DON'T HAVE ANY PROBLEMS WITH PEOPLE ON SECOND SHIFT THERE SEEMS TO BE ONE (b) (6), (b) (7)(C) THAT INSTIGATES EVERYTHING BUT I WON'T MENTION ANY NAMES.

I REMINDED (b) (6), (b) (7)(C) OF THE POLICY IN REGARDS TO RELALIATION AND WE CLOSED WITH SOME CONVERSATIONS REGARDING PARKING PROBLEMS AND (b) (6), (b) (7)(C) PERCEPTION THAT THIS WAS PART OF THE CAUSE.

***CONSULT WITH HR ON NEXT STEPS

(b) (6), (b) (7)(C) 11 [3RD SHIFT TUESDAY] MEETING WITH (b) (6), (b) (7)(C) 5:30 AM OTHERS PRESENT (b) (6), (b) (7)(C)

- SUMMARY OF CONVERSATION BY (b) (6), (b) (7)(C)

AS I ENTERED THE ROOM I SPOKE TO (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) AND SAID GOOD MORNING, THERE WAS NO REPLY. I SAID AGAIN GOOD MORNING AND (b) (6), (b) (7)(C) REPLIED "GOOD MORNING"[NO REPLY OR RESPONSE FROM (b) (6), (b) (7)(C) I TURNED TO (b) (6), (b) (7)(C) AND SAID "IF THAT'S HOW IT'S GOING TO BE I'LL JUST GET STARTED".

(b) (6), (b) (7)(C) AS YOU ARE FILLING IN FOR (b) (6), (b) (7)(C) WE ARE MEETING TO WRAP UP A FORMAL INVESTIGATION REGARDING A COMPLAINT/CONCERN OF HARRASSMENT / HOSTILE WORK ENVIRONMENT AND I MAKE THE ASSUMPTION (b) (6), (b) (7)(C) HAS SHARED WITH YOU SOME OF THE DETAILS.

IN THIS CASE I HAVENT' FOUND SUFFICIENCT EVIDENCE TO MOVE FORWARD WITH FORMAL CORRECTIVE ACTION. THAT BEING SAID, (b) (6), (b) (7)(C) I MENTIONED TO YOU BEFORE THAT I HAVE SOME CONCERNS REGARDING HOW YOU TREAT YOUR Co-WORKERS. EVERYTHING I'VE HEARD ABOUT YOUR WORK ETHIC IS VERY GOOD BUT YOU NEED TO ALSO CONTROL HOW YOU ACT AND COMMUNICATE WITH YOU'RE FELLOW EMPLOYEES. (b) (6), (b) (7)(C) INERJECTED AND SAID (b) (6), (b) (7)(C) A BIG (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) WORKED ON AIRCRAFT CARRIERS FOR 20 YEARS. I RESPONDED BY SAYING THERE ARE A LOT OF PEOPLE WHO ARE BIG, WHO DON'T USE THREATENING LANGUAGE, TONE OR POSTURE AND THERE A PROBABLY A LOT OF PEOPLE WHO WORKED ON AIRCRAFT CARRIERS WHO DON'T SPEAK LOADLY... AND FRANKLY IT'S LESS ABOUT VOLUME AND MORE ABOUT TONE.

(b) (6), (b) (7)(C) YOU IN MY OPINION HAVE AND DO DEMONSTRATE A PATTERN OF BEHAVIOR THAT IS REGULARLY PERCEIVED AS THREATENING/ANTIMIDATING AND IN THIS CASE I DIDN'T FIND JUSTIFICATION FOR FORMAL CORRECTIVE ACTION BUT IF YOU CONTINUE TO ACT IN A SIMILAR MANNER YOU WILL LIKELY FIND YOURSELF IN A SITUATION THAT COULD RESULT IN SERIOUS TROUBLE WITH POTENTIAL CORRECTIVE ACTION UP TO AND INCLUDING TERMINATION.

(b) (6), (b) (7)(C) "ARE YOU THREATENING ME?"

MY RESPONSE - "ABSOLUTELY NOT, I'M TELLING YOU THAT IN THIS CASE THERE IS NO FORMAL CORRECTIVE ACTION BUT BASED ON THIS INVESTIGATION, COMMENTS FROM OTHER CO-WORKERS AND PERSONAL OBSERVATION, THE WAY YOU ACT, SPEAK AND GENERALLY PRESENT YOURSELF WITH OTHERS IS REGULARLY PERCEIVED TO BE THREATENING AND ANTIMIDATING. AS A REMINDER FROM A PREVIOUS CONVERSATION THAT THREATENING/ANTIMIDATING BEHAVIOR BY LAW AND POLICY IS JUDGED BY THE RECIEVER SO YOU NEED TO CONTROL YOUR INTERACTIONS WITH OTHER PEOPLE BECAUSE IT IS THEIR PERCEPTION WHICH DICATATE WHETHER OR NOT SOMETHING IS OR IS NOT "ANTIMIDATING". IT'S IMPORTANT FOR YOU TO UNDERSTAND THAT TYPE OF BEHAVIOR CAN RESULT IN TERMINATION OF EMPLOYMENT". I PRESENTED (b) (6), (b) (7)(C) WITH THE EAP BROCHURE AND SAID THIS IS AN OFFER FOR YOU AS A COMPANY BENEFIT IN THIS CASE I'M NOT MAKING YOU PARTICIPATE IN A PROGRAM BUT I'M OFFICIALLY LETTING YOU KNOW THAT THE EAP SYSTEM OFFERS A VARIETY OF TOOLS FOR PEOPLE THAT CAN HELP CHANGE AND ENHANCE THEIR LIVES. I REMINDED (b) (6), (b) (7)(C) OF OUR PREVIOUS CONVERSATION REGARDING THE POLICY AND THAT RETAILIATION OF ANY SORT WAS ALSO TERMINABLE. I ASKED IF THERE WERE ANY QUESTIONS.

(b) (6), (b) (7)(C) COMMENTED - "I FEEL LIKE BECAUSE I FOLLOW THE RULES AND TELL ON PEOPLE WHO DON'TTHEY ARE AGAINST ME AND NOW MY NAME IS SMEARED". I RESPONDED TO (b) (6), (b) (7)(C) BY LETTING (b) (6), (b) (7)(C) KNOW THAT IF (b) (6), (b) (7)(C) HAD FORMAL CONCERNS THAT (b) (6), (b) (7)(C) WAS WELCOME TO BRING THEM FORWARD AND IF THE SITUATION MERITED FORMAL INVESTIGATION WE WOULD CERTAINLY FOLLOW THAT PATH. BUT I REITERATED THAT IT WAS (b) (6), (b) (7)(C) RESPONSIBILITY TO "CONTROL WHAT YOU CAN CONTROL" AND THAT IS WHAT YOU DO, SAY, HOW YOU SAY IT AND HOW YOU TREAT YOUR COWORKERS.

(b) (6), (b) (7)(C) 11 [2ND SHIFT WEDNESDAY] MEETING WITH (b) (6), (b) (7)(C) ~3 PM OTHERS PRESENT (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

- SUMMARY OF CONVERSATION BY (b) (6), (b) (7)(C)

I SIMPLY LET (b) (6), (b) (7)(C) AND (b) (6), (b) (7)(C) KNOW THAT WITHOUT SHARING CONFIDENTIAL INFORMATION THE INVESTIGATION REGARDING WORK PLACE VIOLENCE/HOSTILE WORK ENVIRONMENT WAS COMPLETED VIA THOROUGH INVESTIGATION AND INVOLVEMENT WITH HR. I LET THEM KNOW THAT I APPRECIATED THAT THE CONCERN WAS BROUGHT FORWARD AS WE JUST ATTENDED WP VIOLENCE TRAINING WHICH STRESSED HOW IMPORTANT IT CAN BE TO STOP ISSUES BEFORE VIOLENCE COMES IN TO PLAY. I ALSO EMPHASIZED THE RETAILIATION PORTION OF THE POLICY AND IF AT ANY TIME THEY FELT RETALIATION THAT THEY NEEDED TO BRING THE ISSUE FORWARD IMMEDIATELY. UPON ASKING IF THEY HAD ANY QUESTIONS, THEY DID NOT.

FINAL REPORT SIGNED AND DELIVERED TO HR (b) (6), (b) (7)(C) 11 FOR FILING

CORRECTIVE ACTION HISTORY FORM

Employee Name: (b) (6), (b) (7)(C)

Clock #: (b) (6), (b) (7)(C)

Department: Brewing

Shift: 3rd shift

1. OFFENSE

Date: (b) (6), (b) (7)/06

Time: 05:05 AM ☒ PM ☐

Describe the offense: The employee used abusive and profane words. " Fuck this place"; "I do not care if this place go down"; "Fuck management".

At the beginning of the shift (b) (6), (b) (7) was assigned to clean PRT tanks for the night. Towards the middle of the shift (b) (6), (b) (7) asked me (b) (6), (b) (7)(C), while I was in the panel room, why second shift did not unload the Baler. I told (b) (6), (b) (7) not to worry about that and to let the powder operator complained about the Baler not being unloaded, as the powder operator is the one assigned to the job.

Prior to (b) (6), (b) (7) asking me the question the issue was already resolved with the powder operator.

(b) (6), (b) (7) started screaming in the panel room and using abusive and profane words.

Prior to this incident, I did have a meeting with (b) (6), (b) (7)(C) regarding not yelling and using profane words in finishing area.

Name of Witness: None

Name of Industrial Relations Rep. Contacted: None

2. FACT FINDING INTERVIEW

Date: (b) (6), (b) (7)/06

Time: 0600 AM ☒ PM ☐

Attendance (Steward): (b) (6), (b) (7)(C)

Others: None

What reasons did the employee give for his/her actions?: Nothing

What argument did the steward use to defend the employee?: All 3rd shift brewery workers in finishing area are frustrated, because 3rd shift always has to do more work than 1st and second shift combine.

Did you advise the employee and the steward of possible corrective action?: Yes

3. OTHER

To your knowledge, has the employee been previously counseled or disciplined for the same or similar offense (give type and date(s)): Previously counseled

Additional comments: None

Recommendations: Verbal Warning

Supervisor's Name: (b) (6), (b) (7)(C)

Person conducting the fact-finding: (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)/06



May 28, 2013

Adriana A. Kelly, Field Examiner
National Labor Relations Board
Region 30
310 W. Wisconsin Ave., Suite 700W
Milwaukee, WI 53201

Re: MillerCoors, LLC/Milwaukee Brewery
Case: 30-CA-103501

Dear Ms. Kelly:

This letter is in response to your request of May 24, 2013 regarding specifics around anyone being terminated for actions similar to those of (b) (6), (b) (7)(C). This question seems easy to answer – but in this situation is somewhat confusing because of the nature of (b) (6), (b) (7)(C) actions. In short (b) (6) created a hostile work environment (acting in a threatening way – being “out of control”), abandoned (b) (6) job (not contacting anyone) and acting in such a way as to violate several plant rules (several of which (b) (6) had already received corrective actions).

However I will try to answer each of the subparts:

- 1) Hostile work environment – there have been several terminations under either Plant Rule 25 (abusive and profane language), our Workplace Violence policy or our Harassment Policy. These include (b) (6), (b) (7)(C) (Brewery Worker) and (b) (6), (b) (7)(C) (IAM). In addition (b) (6), (b) (7)(C) (Brewery Worker) and (b) (6), (b) (7)(C) had received 3 day suspension for 1st time violations. The individuals who had other corrective actions previously on file ((b) (6), (b) (7)(C)) were termed. Also – note that none of these individuals abandoned their job after the occurrence that led to their Corrective Action, unlike (b) (6), (b) (7)(C).
- 2) Job Abandonment – we could find no situation similar to the one at present. We believe it is a clear rule in our (and most) workplace, and all employees know not to leave the job without providing notice.
- 3) There have been many terminations across the years for progressive discipline under the plant rules – specifically Rule 7.

Lastly, I wish to again point out that the issue at hand is not whether the punishment provided was proper under the contract or even consistent with past practice (which it was...). The issue is whether (b) (6), (b) (7)(C) was engaged in any protected and concerted activity at the time which led to (b) (6) termination. The answer is clearly “no”. In fact (b) (6) was reacting violently and then left the brewery because (b) (6) didn't

like the job (b) (6) received following a process that the workers had developed. (b) (6) was not helping fellow workers, (b) (6) was mad at the fellow workers. Again for all of these reasons, the charge in this case is without merit and should be dismissed. Please contact me with any further questions or for more information.

Sincerely,



Ross A. Robinson
Corporate Labor Relations Manager
3939 W. Highland Blvd
Milwaukee, WI 53208



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 30
310 W WISCONSIN AVE
STE 700W
MILWAUKEE, WI 53203-2281

Agency Website: www.nlrb.gov
Telephone: (414)297-3861
Fax: (414)297-3880

June 17, 2013

(b) (6), (b) (7)(C)

BREWERY WORKERS LOCAL 9, UAW
9618 W. GREENFIELD
MILWAUKEE, WI 53214

Re: MillerCoors
Case 30-CA-103501

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that MillerCoors has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have concluded that further proceedings are not warranted inasmuch as the evidence was insufficient to establish a violation under the Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision to dismiss your charge was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on **July 1, 2013**. If you file the appeal electronically, we will consider it timely filed if you send the appeal together with any other documents you want us to consider through the Agency's website so the transmission is completed by **no later than 11:59 p.m. Eastern Time** on the due date. If you mail the appeal or send it by a delivery service, it must be received by the Office of Appeals in Washington, D.C. by the close of business at **5:00 p.m. Eastern Time** or be postmarked or given to the delivery service no later than June 30, 2013.

Extension of Time to File Appeal: Upon good cause shown, the General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. To file electronically, go to

www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number and follow the detailed instructions. The fax number is (202)273-4283. A request for an extension of time to file an appeal **must be received on or before July 1, 2013**. A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/ Benjamin Mandelman

Benjamin Mandelman
Acting Regional Director

Enclosure

cc GENERAL COUNSEL
OFFICE OF APPEALS
FRANKLIN COURT BUILDING
NATIONAL LABOR RELATIONS
BOARD
1099 14TH STREET, NW
WASHINGTON, DC 20570

TONY WIEDENHEFT
MILLERCOORS
3939 W HIGHLAND BOULEVARD
P. O. BOX 482
MILWAUKEE, WI 53201-0482

ROSS A. ROBINSON
MILLERCOORS, LLC
3939 WEST HIGHLAND BOULEVARD
P.O. BOX 482
MILWAUKEE, WI 53201-0482

SHELLY WATSON
MILLERCOORS, LLC
3939 W HIGHLAND BOULEVARD
P. O. BOX 482
MILWAUKEE, WI 53201-0482